

THE MEDICO-LEGAL JOURNAL.

(Published under the Auspices of the Medico-Legal Society of New York.)

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THE RELATION OF INTEMPERANCE TO INSANITY.*

BY CLARK BELL, ESQ.

MOREL says :

“ The principal causes of Insanity are : Intemperance and neglect of the laws of health.” He believed that there are few of the unfavorable conditions of human life that by themselves cause more human degeneration than the excessive use of alcohol †

DR. C. H. HUGHES, the able editor of the *Alienist and Neurologist*, in speaking of the causes of Insanity, says :

“ The families of intemperate parents furnish the recruiting ground for Insane Asylums.”

These unfortunate children, if not idiots or epileptics, are liable to grow up with querulous, explosive tempers, with feeble powers of self-guidance, weak in temptation, unstable, self-indulgent, vicious and hysterical. ‡

TH. H. KELLOGG, M. D., one of our most intelligent students of Insanity, with a valuable experience says :

“ It is estimated that twenty-five per cent. of modern cases of Insanity are due to the direct or indirect effects of the abuse of alcoholic stimulants.”

This assertion is made with reference to the immediate effect of alcohol on individuals that consume it; and if its remote, baneful influences through generations are to be taken into account, it would be necessary to add considerably to the numerical strength of the statement. §

The same authority, speaking of the Etiology of Insanity of this class or type, says :

“ It is active first in exciting attacks to which there is already an heredi-

* Read July 6, 1887, before the International and Colonial Congress of Inebriety, at London, England, and September 14, 1887, before the Medico-Legal Society of New York.

† (1) (*des Degenere del espece Humaine.*)

‡ (2) (*Alienist and Neurologist*, 1887.)

§ (3) (Reference Hand Book of the Medical Sciences. Wood & Co., 1887.)

tary or an acquired tendency, secondly : in the developement *de novo* of characteristic types of mental derangement, and directly in the transmission of weak and irritable nervous systems, that predispose to mental disorder."

"The types of mental aberration caused directly are :

1. Gradual physical degeneration, that attains finally to the complete extinction of the moral powers.
2. Ordinary attacks of mania and melancholia.
3. Delirium tremens.
4. Alcoholic Dementia and
5. Dipsomania.

This latter form has a double origin and includes two very different classes of cases. In the one class it results from a susceptibility to alcohol that is most intense, and inherited from intemperate parents, so that on slight indulgence the patient every now and then loses all self-control, and goes through a reckless alcoholic debauch.

In the other class the dipsomaniac tendency is simply one of the morbid impulses that occur in periodical insanity, and it will be found on close observation that these cases present insane peculiarities during the interim between their drinking bouts." *

LUNIER has probably furnished the most complete and reliable statistics, upon this subject, of the Modern Authors.

He claims that while the consumption of alcohol nearly doubled in France in the twenty years from 1849 to 1869, that the cases of Insanity from intemperance had risen from fifty-nine per cent. with men, and fifty-two per cent. with women. These statistics are remarkable as showing the relative increase in those districts of France where alcoholic or distilled spirits took the place of wine.

M. LUNIER claims distinctly that the number of suicides everywhere in France followed the increased consumption of alcohol. He also shows that in the north of France, where the consumption of alcohol had nearly doubled in twenty years (1849 to 1869) the cases of Insanity from alcohol had quadrupled among men, who consume it, without any corresponding increase among the women, who did not.

He also estimates that at least fifty per cent. of the idiots and imbeciles of the great cities were the children of notorious drunkards, and that the majority of children born of parents who were constitutionally drunkards are, as he considers, "weak in some way or other." †

THE EARL OF SHAFTESBURY, in his evidence before the select committee

* (3a) (*Ibid.*)

† (4) (*Annales Medico Psychologique* 1872).

of the English Parliament, in 1859, expressed his opinion that fifty per cent. of the cases admitted to English Asylums were due to drink. ** (Evidence before Parliamentary Commission, 1859.)

While many have doubted the accuracy of this statement, it must not be lost sight of :

1. That no man in England had better, or half as good facilities of observation, or would be less likely to exaggerate this per centum, than the Chairman of the Board of Lunacy Commissioners : and

2. That he doubtless took into account the cases due to intemperance as an indirect cause, and the intemperance of parents as causing insanity and idiocy in their offspring.

BUCKNILL & TUKE place in their list of causes of Insanity, arranged in the order of their frequency and importance, Intemperance as the larger and greater cause.

They verify their views by statistical evidence from the French, English and Scotch reports of the Commissioners of Lunacy, as well as the carefully prepared statements and tables of Skaie, at Morningside ; Dr. Needham, at York Lunatic Asylum ; Dr. Clouston, at Cumberland and Westmorland, and Drs. Kirkbride, Lee and Earle, in American Institutions. *

SIR W. C. ELLIS, M. D., Superintendent of Wakefield Asylum, England, in his treatise on Cause and Cure of Insanity (1838), recognizes intemperance as a prolific cause of insanity. †

SAMUEL WILKES, M. D., in his lectures on diseases of the Nervous System, says :

“Certainly one of the causes most frequently instrumental in the production of an atrophy of the brain is drunkenness, or the excessive use of alcoholic drinks.” ‡

Alcohol causes a degeneration of all the tissues of the body, its direct effect on the liver is cirrhoses, on the kidneys Bright's disease, and fatty degeneration of the tissues thus caused explains the frequent death of the drunkard by heart disease.

DR. WILKES compares the degeneration of the tissues from the excessive use of alcohol to those processes which take place naturally in excessive old age. He says, “a drunken man is literally living too fast.” §

** (5) (Evidence before Parliamentary Commission, 1859).

* (6) (Bucknill & Tuke, Psychological Medicine, p. 93, *et seq.*)

† (7) (Ellis on Insanity, p. 97, *et seq.*)

‡ (8) (Wilkes' Diseases of the Nervous System, p. 211.)

§ (9) (*Ibid.*, p. 212.)

The post mortem, says the same high authority, of a confirmed drunkard, shows that the brain is shrunk and weighs so many ounces less than it did when healthy. *

The legitimate effect upon the brain of the excessive use of alcohol is to produce atrophy of that organ.

Whatever arrests normal action, interferes with function and leads or tends to decay or degeneration.

DR. HENRY MAUDSLY gives a chapter "concerning degeneration" in his admirable treatise, "Body and Will," in which he defines degeneration, as he calls it, as an "unkinding, or the undoing of a kind."

The abuse of the use of alcohol produces a degradation of the organ, by shrinking it, from its normal conditions, into a lower, lesser, or baser shape, and while alcoholic atrophy of the brain is not the degradation of which MAUDSLY so splendidly treats, it resembles it, in physical results, in the life and health of the sufferer.

PROF. JOHN J. REESE regards intemperance as one of the chief causes of idiocy. †

DR. WILLIAM W. IRELAND, a high authority upon idiocy, places heredity foremost among causes of idiocy, and does not agree with the authorities that place intemperance so high as a cause of idiocy—while he concedes that it is an important cause. ‡

He says of drunkenness in the parents: "The children of drunken parents in many cases have an unhealthy, nervous system; they are weak, unhealthy and excitable, and often have a diseased craving for spirituous liquors, but, in my opinion, idiocy is not the ordinary legacy which drunkards leave to their children."

DR. LANGDON DOUN lays great stress upon intoxication of the parent at conception as a fruitful cause of idiocy. §

TOUSSENEL advances similar views.

LUDWIG DAHE, the Norwegian writer on Insanity, is of the opinion that to the abuse of brandy especially in the fathers, but also in the mothers during pregnancy, may be assigned an important influence in the production of the large number of idiots in Norway. ††

* (10) (*Ibid.*)

† (11) (Reese Medical Jurisprudence and Toxicology, p- 543.)

‡ (12) (Ireland's Idiocy and Imbecility, p. 26.)

(13) (*Ibid.*)

§ (14) *Monde des oiseaux*, p, 106, quoted in the *Physical Problem*, by Charles Elam, M. D., London, 1869.)

†† (15) *Insanity in Norway*, by Ludwig Dahe, quoted by Ireland on Idiocy, p. 27.)

THE CONNECTICUT COMMISSION ON IDIOCY, in a report made to the Legislature of Connecticut, in 1856, reported that the parents of idiots were given to intemperance in drink in seventy-six cases out of two hundred and thirty-five. In thirty of these cases both parents were intemperate, in forty-six cases one parent so. *

T. S. CLOUSTON, M. D., in his able lectures delivered before the students at the University of Edingburgh, speaking of causes of Insanity, says : "It is unfortunately the most common of all the causes of the disease; in some cases producing it *de novo*, in others bringing into activity, hereditary and acquired brain weakness."

He assigns alcohol as a cause, in whole or in part, in from fifteen to twenty per cent. of the cases of mental diseases, taking all of Scotland as a basis †

MOREAU DE TOURS, whose studies of human degeneracy, like those of his countryman MOREL, have thrown more light upon these topics than any of our English-speaking writers, agree that the abuse of alcohol is one of the greatest factors working in the degeneracy and deterioration of the human species, when measured by its past results upon the race.

These degenerations are transmitted, by laws of heredity, from father to son, and seem unable to be corrected or eradicated.

Their manifestations are Insanity, idiocy, ugliness, deformity, incapacity for higher education, lack of self-control, and what we may denominate the excrescences upon the normal human stock.

Its manifestations are degeneration of organic tissue, reproduced and intensified, which are rarely ever cured, modified or overcome.‡

DR. EDWARD C. MANN says : "Alcohol eventually will have to be dealt with as a source of terrible moral and physical deterioration. The whole human race is deteriorated by the poison, morally, mentally and socially. The disease of inebriety is transmitted hereditarily, causing insanity, epilepsy and idiocy, or a propensity to crime." §

PROF. STANFORD E. CHAILLÉ, M. D., Tulane University of Louisiana, says : "The most frequent and important lesions found in the bodies of dead drunkards are of the same nature as those produced by old age. Fibroid, fatty and chalky degenerations, gradually invade the tissues and unfit them to maintain health and life. By these degenerations, vital force

* (16) (Report of Committee on Idiocy, to Connecticut Legislature, New Haven, 1856.)

† (17) (Clouston Mental Diseases, p. 312.)

‡ (18) (Psychole Morbide, by Moreau de Tours.)

§ (19) (Alienist and Neurologist, January, 1887, p. 98.)

is prematurely lowered and exhausted, and the constitution is so impaired that there is far less power to resist disease, so that it is notorious that the abusers of alcoholics greatly increase their liability to death, by accidental injuries, and by epidemic and other diseases, and that, if these fail to shorten their lives, decrepitude, old age and death come on before their time." *

DR. T. D. CROTHERS, a very high authority, says: "It is a fact beyond question that alcohol in excess produces changes of brain circulation and nutrition, also vaso motor, paralysis with congestion, and derangement of the heart's action and diminution of the quality of the blood. The result is that both brain and nerve function are impaired, and the capacity to realize the nature and consequence of conduct and thoughts are lessened—the victim is actually and literally on the road to insanity. The inebriate cannot be sane, for his brain is physiologically and pathologically changed."

Dr. WILLIAM G. STEVENSON, a high authority, and a most careful and analytical observer, in speaking of the neurotic origin of criminality, says:

"That inebriety, insanity and crime bear close relationship to, and as results of pathological conditions of nerve tissue, are co-relative of each other."

"It is a fact that inebriety, insanity and criminality are hereditary and undergo mutual metamorphoses during stages of transmission."

It is a fact that drunkenness or dipsomania is a physical disease, depending on some molecular change of nerve tissue, as the direct effect of alcoholic poisoning, and the "gemmules" of this tissue, when transmitted, become active factors in the formation of character."

The same high authority says: "It is an admitted fact that inebriety in the parent predetermines insanity in the offspring. †

Dr. DODGE, the late Superintendent of the Binghamton Asylum for Inebriates, says:

"It is important to keep in view that drunkenness is as often involuntary as voluntary; that the person afflicted with the tendency to it obeys a law of its members more potent than his will." ‡

* (20) Abuse of Alcohol, p. 17.)

(Private letter from Dr. Crothers to the author of the paper, in response to an inquiry.)

† (21) (Criminality, a paper read before Medico-Legal Society, N. Y.)

‡ (22) (*Ibid.*, on the authority of Dr. W. G. Stevenson.)

DR. RUSH reports the case of an habitual drunkard who, when urged to leave off drink, replied :

“Where a keg of rum in one corner of a room, and were a cannon constantly discharging balls between me and it, I could not refrain from passing before that cannon in order to get rum.” *

MACNISH, in his *Anatomy of Drunkenness*, cites the case of a man to whom a friend painted “the distress of his family, the loss of his business and character, and the ruin of his health,” who replied : “Alas, yes, this is too true! but I can no longer resist temptation; if a bottle of brandy stood at one hand and the pit of hell yawned at the other, and I were convinced that I would be pushed in as sure as I took one glass, I could not refrain.” †

DR. HOWE, of Massachusetts, claimed that out of 300 idiots investigated by himself, one hundred and forty-five were descended from intemperate parents. ‡

In the various plans of classification of mental diseases, submitted by the Alienists of various countries through the several members of the International Committee, named at Antwerp, at the conference held under the auspices of the Belgian Society of Mental Medecine, in September, 1885, for the purpose of agreeing, if possible, upon a uniform classification as a basis of International Statistics of the Insane, for all the world, “Insanity produced by intemperance” has been generally recognized by the representatives of all the countries.

In the paper presented by DR. LEFEBVRE, of Belgium, “Insanity produced by Intoxication” was proposed as one of the eight types submitted. The plan or basis agreed upon by the German Alienists, at Frankfort-on-the-Main, in 1881, named six types of Insanity, of which “Alcoholic Delirium” was one. §

The WESTPHAL plan, as shown in his psychiatric Clinic announced in the PSYCHIATRY ANNALS of 1885, and plan agreed upon at WIESBADEN, included MANIA-A-POTU.” ||

THEODORE MEYNERT, in his paper read before the AUSTRIAN-HUNGARIAN SOCIETY OF PSYCHIATRY, in response to the action of the BELGIUM conference, cites the last two, and submits a classification embracing five classes with sub-divisions, the fifth of which was “TOXICAL MENTAL

* (23) (Report on Causes of Idiocy to State of Massachusetts.)

† (23a) (*Anatomy of Drunkenness*, p. 163.)

‡ (24) (“Stevenson on Criminalty.”)

§ (25) (*Medical Legal Journal*, Vol. 4.)

|| (26) (Clark Bell on Classification of Mental Disease.)

DISORDERS," viz: ALCOHOLIC DELIRIUMS — OTHER INTOXICATIONS.*

PROF. SENATOR ANDREA VERGA, in the plan proposed by him for Italy, named "Alcoholic, or Toxic Neurosis," as one of the sub-divisions of his classifications. †

PROF. BENEDICT, OF AUSTRIA, submitted as the fourth of his seven distinct types: Delirium Tremens—Chronic Alcoholic Insanity—Periodic Dipsomania. ‡

In the admirable plan submitted by PROF. WILLE, the International delegate for Switzerland, dividing into five classes or types, he names: "Psychoses by Intoxication," sub-divided as follows: "Alcoholic Psychosis—Other Psychosis from Intoxication." §

In the English plan submitted by Dr. H. HACK TUKE, the British member of the International Committee, "Alcoholic Insanity" is recognized as a sub-division of the general type or class of "Mania." ||

In the tables proposed by Dr. MAGNAN, the French member of the International Committee, he submitted as one head, "Mental Alienation by Intoxication, or by any Toxic agent to be named." ††

At the conference of American Alienists, called by the American member of the International Committee, at Saratoga, N. Y., Sept. 8th, 1886, presided over by the celebrated PLINY EARL, M. D., a basis was unanimously agreed upon of eight general divisions, of which "Toxic Insanity" was the seventh, including Alcoholism and all Insanity from Toxic Causes." §§

A similar sub-division was agreed upon by PROF. MIERZEJEWSKI, the member for Russia, on conference with the Society of Psychiatry, of St. Petersburg. ††

DR. STEENBURG, OF COPENHAGEN, who represented the Scandinavian countries in his plan, named seven divisions, of which the fourth was "Alcoholic Insanity," with the following sub-divisions: 1. Delirium Tremens. 2. Chronic Alcoholic Insanity. 3. Periodic Dipsomania. |||

We may then safely assume that science throughout the world recognizes the abuses of alcohol, not only as the greatest and most direful cause

* (27) (*Ibid.*)

† (28) (*Ibid.*)

‡ (39) (*Ibid.*)

§ (30) (*Ibid.*)

|| (31) (*Ibid.*)

†† (32) (*Ibid.*)

§§ (33) (*Vide* Report to Medico-Legal Society, Med. Legal Jour., Vol. 3.)

†† (33) (*Vide Ibid.*)

||| (34) (Clark Bell on Classification of Mental Diseases.)

of Insanity known to the race, but that it recognizes Alcoholism, in some of its various forms, as a distinct type of Insanity.

The mission of the English Society for the Study and Cure of Inebriety is of the highest importance. If, by your labors, you can benefit the future of humanity, by a better understanding of the causes that have led, and are tending, to the degeneracy of mankind. If, with such knowledge, you can, in any sensible and practical way, arrest or lessen the ills of Inebriety, you will have accomplished a great good.

The study of Inebriety, and the cure of it, are now attracting world-wide attention. It is recognized by science as a disease; but has the popular mind and heart so recognized and conceded it?

Before legislation can lend its strong hand to defend the body politic, by preventative measures, based on the safety and preservation of the people, from avertable ills, we must see to it that the public intellect is abreast with scientific research on the subject.

This, if I understand it correctly, is the mission of the British Society and its co-laborers, in America and upon the Continent, and, to aid your work, and to hold up your hands in Great Britain, has inspired this contribution, which I hope may be for good.

OPIUM INEBRIETY.

BY IRA RUSSELL, M. D., Winchendon, Massachusetts.

Ex-Vice-President of the Massachusetts Medical Society; member of the American Association of Superintendents of Insane Asylums; N. E. Psychological Society; Mass. Medico-Legal Society; New York Medico-Legal Society; Sup't Family Home for Treatment of Mental and Nervous Diseases, Winchendon, Mass.

The victims of morphine inebriety are much more numerous than is generally supposed. They are found among all classes in the community, but more frequently among the refined and the well-educated, in the higher walks of life. I have had under treatment in my "Family Home" lawyers, physicians, clergymen, merchants and bankers; wives of physicians and other ladies of culture and refinement. One of the most striking peculiarities of the opium habit is the skill with which its victims conceal it; not unfrequently the nearest friends know nothing of it.

Not long ago, I had under my care the wife of a noted physician; she had taken morphine for seven years without her husband's knowledge, and when she came to me was taking it at the rate of ten grains daily.

Another lady who came under my care recently had been taking ten grains and more daily; she often ap-

peared strange and had strange attacks of sickness, but the true cause was not even suspected. Again and again did she attempt to cure herself, but always, as she expressed it, "ignominiously failed." Finally, confiding in but one person, and informing no one else of her whereabouts even, she placed herself under treatment and was cured ; now, well and happy, she no longer conceals the fact that she was once the slave of opium.

To show how artfully the habit may be concealed, I was called, as the family physician, to see a sick lady ; she begged me not to give her any morphine "for she could not take it"; my suspicions were aroused, and by a little strategy I discovered that she was taking it in large quantities. This habit is frequently concealed from the family physician, and, moreover, the general practitioners of medicine are apt to treat these cases with too much indifference. They seem not to recognize the strange symptoms of nervousness which indicate the use of opium ; certainly they fail to appreciate their importance.

Take the following case : There came under my care a gentleman of fifty who was taking morphine, administering it himself, hypodermatically ; his physician had prescribed it in the beginning, for the relief of some painful trouble of a neuralgic character ; at length his disease assumed an hysterical form, and when not under the direct influence of morphine, he was exceedingly nervous and irritable. He would have fearful pains in his back and limbs, and would be unable to walk without

assistance. He would imagine that he had all kinds of diseases, that death was near from heart disease or paralysis, and would exhibit intense fear and terror from his supposed impending doom. These symptoms would be relieved by the administration of his accustomed drug, to return as soon as the effect of the morphine was spent.

Such was his condition when he came to me for treatment.

He was much emaciated, was taking but little food, as everything he ate distressed him ; his bowels were fearfully constipated. It was the fear of death that induced him to submit to treatment. After several months treatment, with food, tonics, baths, exercise in the open air and the gradual withdrawal of the morphine, he made a complete recovery. There are a great many cases, especially among ladies of a nervous temperament, who, from various causes—overwork, fatigue, the exacting duties of a wife and mother or the claims of society—have numerous neuralgic pains or constant restlessness, that they find can be relieved by the use of morphine, too often indifferently and carelessly prescribed by their physicians.

In fact, I do not know a case of the voluntary formation of the opium habit ; some outside party, some physician or friend has been responsible for it. The effects of the constant use of morphine are analogous to those of alcoholic stimulants.

It affects, in a greater or less degree, the mental facul-

ties, the emotions, affections, will, intellect, conscience and judgment ; the change from the normal condition is not always very manifest, but there is always a change. There is generally a deterioration of the intellectual and moral faculties; I concede that some of the profoundest thoughts of Coleridge and the brilliancy of DeQuincey, were inspired by opium ; so were some of the master-pieces of Byron, Burns and Poe inspired by alcohol ; but the generally observed effects of opium upon the intellectual faculties are seen in the loss of memory, impaired judgment, and dullness of observation. The moral faculties also suffer, the sense of right and wrong, of duty and responsibility, are impaired ; the fastidious lady is less particular about her personal appearance, the business man is neglectful and forgetful, the professional man, the lawyer and clergyman may be witty and brilliant, but are sure to lack in logical precision.

Those addicted to opium suffer from the consciousness, that they are under an influence which they are powerless to overcome.

- The opium habit, when fully formed, I regard as a disease, and it should be so regarded and treated. It is a brain disease ; there is a change in the nerve cells ; opium is a poison somewhat analogous to lead poison, its effects remaining a long time after the drug is discontinued. Its physiological and psychical effects are manifested as soon as a sufficient interval of time has elapsed since the last potion was taken.

A physician, a victim of the habit, tells me that the

first symptom he experiences after the effects have passed off, is a peculiar sensation in his arms—a numb or pricking sensation, then an oppressed feeling in the region of the heart and lungs; a disposition to yawn and inflate his lungs, soon followed by aches and pains indescribable. Then the psychical symptoms appear—fear of heart disease, fear of death, suspicions, hallucinations, delirium, spectres, “gorgons and hydras dire” torment him. The victims of this habit, when deprived of the drug, will resort to various excuses and stratagems, and to inveterate lying to obtain it; they will hide away, or run away to drug stores, or to physicians, and beg for opium to allay a toothache or a headache; or for laudanum to wash a bruised hand, the bruise being self-inflicted, and resort to devices innumerable to procure that which they know will afford relief.

Such being the physiological and psychological effects of the suspension of opium, can it be suddenly discontinued with safety?

I know there are those who claim that it can be done, and perhaps that is true, when the duration of the habit is short and the amount taken is small; but I prefer that those who advocate the sudden withdrawal should practice it, while I beg to be excused. I think that any one who has suffered in his own person the effects of the sudden withdrawal, or who has witnessed the sufferings of another, would be the last to advocate or adopt such a plan.

Take this case: A clergyman of my acquaintance, an

earnest, faithful, devoted Christian of the Methodist Church, while a chaplain in the army contracted chronic diarrhoea, a disease common among those subjected to the hardships of army life, and took morphine for its relief with the usual consequences—the formation of the morphine habit. He made numerous attempts to cure himself, but, like all others who make the attempt, he utterly failed. His parishioners found that he was taking morphine, and, although it did not materially interfere with the performance of his professional duties, the leading men of his church thought it a great sin, and called him to an account for it. After praying over the matter, he promised, the grace of God helping him, that he would abstain ; but when the craving returned he relapsed, and took it clandestinely, and, as he took it by injection, he denied that he had swallowed any ; the deception was ascertained, he was deposed from the ministry for lying, and having no means to procure opium, he went into convulsions and died. Thus ended a useful life that might have been saved by proper treatment. I am well aware that there are those who claim to have cured themselves. The following is an instance : A gentleman, an opium inebriate, became converted, and on exposure asserted that the grace of God had cured his craving for opium. This man was undoubtedly honest, but it was ascertained that he was taking a medicine, advertised for the cure of the opium habit, it being claimed that it contained no opium, but which proved, upon a chemical analysis, to contain a large proportion

of morphine, carefully disguised by other medicinal ingredients. So far as my observation has extended, all those who have claimed to cure themselves of this habit have been conscious or unconscious frauds. As I have said before, when this habit is formed it becomes a disease; the nervous structures, the brain cells, are in an abnormal condition, and the demand for the opium stimulants to supply this abnormal condition is overwhelming, and the will-power is utterly unable to resist this craving. Then, again, in many cases, death is the inevitable result of the loss of sleep and food and the mental craze caused by the sudden withdrawal. Can the opium habit be cured? Most certainly it can, as numerous cases bear testimony. The first step is a desire on the part of the patient to be cured. In a majority of cases it is absolutely necessary that the patient should be removed from home and the supervision of relatives and personal friends, and be placed in such a position that he cannot be supplied with the drug by himself or outside confidants; the artfulness and cunning resorted to to get the drug are truly wonderful, hence the most careful watching is required. They will conceal it about their persons, or in out-of-the-way places, and when accused of having it, will deny it most emphatically. They should be under the care of a physician who thoroughly understands the treatment of such cases. Like all other diseases, no two cases can be treated precisely alike. My plan is the gradual reduction, just as fast as it can be done, and at the same time sustain the system with nourishment and nervous tonics and such

medicines as will produce sleep. For this purpose various methods are resorted to. Such ingredients are given, as are calculated to sustain and strengthen the nervous system—amusement and genial companionship, riding and out-door exercise. In order to secure a complete recovery, the patient should be under treatment for two or three months after the opium is withdrawn. The toleration of morphine, is truly wonderful ; the quantity that can be taken without destruction of life, when the increase from a proper medicinal dose has been gradual, is perfectly enormous. Read De Quincey's "Confessions of an Opium Eater." I once had a patient, a physician from Canada, who was taking twenty-five grains hypodermically and drinking a quart of brandy daily. Another patient was taking sixty grains and a quart of whiskey daily. In both cases the stimulants were discontinued at once. In the latter, the morphine was reduced to five grains daily, when, in my absence, the patient left for home. He immediately asked his wife for morphine ; he had some three-grain powders in his pocket-book, also a three-grain powder of strychnine. By mistake she gave him the strychnine and he died almost instantly. The physician referred to, after four months' treatment, remained free from the habit, for nearly a year, when he began to take stimulants, and while under their influence, took an overdose of morphine and died. I have recently had under my care a lady, the widow of a physician, who had been taking thirty grains daily.

In one month I reduced the quantity to four grains

daily, without any great suffering ; after that the reduction of one-fourth of a grain was severely felt. As a matter of fact but few morphine inebriates take such large quantities as those referred to above, but the cure is none the less difficult. The tug of war comes when the last, least quantity is withdrawn.

It is this fact that render self-cure so difficult if not impossible. I, at one time, had under my care a physician who had made several attempts at self cure. He had several times reduced the quantity to one-sixth of a grain daily, when the will became powerless to resist the craving. The loss of sleep, the loss of appetite, the nervous prostration, the neuralgic pains, the uncontrollable diarrhoea, are too much to be borne, and the will succumbs to the demand for the drug. I have no faith in the vaunted remedies that have been so highly extolled ; the gold, the avena sativa, the colerina, the cocaine : the first three are useless, the last-named dangerous. The cocaine habit is worse than the morphine habit. It is always well to combine the sulphate of atropia with morphine, one one-hundredth part of a grain, and continue it of the same strength while the morphine is lessened. Chloral, bromides, hyosciamus and cannabis-indica, can be given to procure sleep and allay nervous irritability. Food and tonics are necessary to sustain the strength.

VALEDICTORY ADDRESS

BY DR. A. K. STEELE,

President of the Medico-Legal Society of Chicago.

(Pronounced June 4, 1887.)

FELLOW MEMBERS: The Medico-Legal Society of Chicago was organized May 15, 1886, barely one year ago, with an original membership roll of nearly one hundred persons, representing the medical and legal professions of this city and vicinity.

It had for its objects "the investigating study of the science of medical jurisprudence, the punishment of unprofessional and criminal practices by members of the medical and legal professions, the prevention of blackmail and the procuring of such legislation as may be necessary to secure the ends above enumerated."

As its inception and successful organization was chiefly due to the personal efforts of Dr. E. J. Doering, I felt that he should have been your first presiding officer and guiding genius, but his firm declination of the intended honor, on account of other important official duties in a sister society, compelled you to postpone his election, until this year. Placed in this position, therefore, quite unexpectedly and unsolicited, I assumed its duties with a considerable degree of reluctance, and with

misgivings as to my abilities to carry out the orders of the Society with satisfaction to a large and exacting membership.

YEAR'S WORK.

The first year of this Society has been an uneventful one. The attendance upon meetings has not been as large, nor the number of papers presented as numerous as our membership would warrant. In fact the modesty of our members in this respect, has been phenomenal for citizens of Chicago.

Immediately after our organization the Executive Committee decided not to take cognizance of any suit brought against any member for alleged malpractice, where the cause of action at law, occurred prior to his becoming a member. You very kindly and unanimously endorsed this action at your first quarterly meeting. The object of this resolution is self-evident, and the wisdom of your Executive Committee, in securing its passage has been demonstrated during the investigation of a number of cases, brought to their attention throughout the year. The society has not been called upon to espouse the cause of any defendant, in an alleged malpractice suit during the year. Neither have we expended any money for legal services, as we did not deem it to be good business policy, to retain an attorney for the Society, until we had some need of his services. Unofficially we have been consulted, in a number of ways in regard to suits, pending against members of this Society, that could not be otherwise considered.

Death has removed from our membership roll the name of *Dr. James Stewart Jewell*, one of the most distinguished alienists and neurologists in this country. A man whose name is familiar to medical readers everywhere, by reason of his scientific contributions in that department of medical science to which he devoted his rare talents with indefatigable industry.

A few months before his death I called at his office to request him to prepare a paper for this Society. As he came into the room his wan appearance, and feeble gait caused me to regret stating the object of my call, but I did so, and at once the old enthusiastic light of the student and scholar brightened his eyes and animated his voice as he cheerfully assented, provided his health permitted, and in his usual calm, deliberative way, he told me that he had for some time been contemplating the subject of preparing a paper on a medico-legal topic, and wrote me and handed me, on a card, the title which is now in my possession: "Critical Examination of Certain Fundamental Points in Medical Psychology as they Relate to Insanity before the Law."

I shall always remember this interview, it was the last time I ever saw our late distinguished member, as his health failed rapidly and the end soon came, depriving the Society of all except the title of the promised paper.

One of our best-known members belonging to the legal profession has been advanced to a prominent municipal position and will soon adorn the bench. I

refer to corporation counsel O. N. Norton. I regret the small membership of lawyers in our Society and trust that through the personal efforts of members, the number many be greatly increased, so as to render it a most distinctly representative scientific medico-legal society. In order to induce a larger membership of lawyers, that clause in our by-laws relating to assessments for unusual expenses in defending suits brought against physicians, was amended so as not to include lawyers.

LIBRARY.

The subject of the establishment of a library containing all the valuable works on medical jurisprudence and allied subjects, was broached to me by our late Secretary but was not favorably considered, as I believe the public library and the library of the law association will meet the wants of our members much better and at greatly less expense than an independent library supported by our Society.

I desire to express my indebtedness to Mr. Clark Bell, President of the New York Medico-Legal Society, for several valuable reprints of papers read, and copies of the transactions of their society, journals sent, invitations to banquets, and request to participate in the formation of an improved nomenclature for nervous and mental diseases, etc. Also to Dr. A. B. Stuart, of Santa Rosa, California, for letters and papers received through Dr. Doering, relating to the formation of a Medico-Legal Board by the State Medical Society of California, and a

full report of the celebrated case of *Winters vs. Grous*, that has attracted such wide attention.

SUGGESTIONS.

Fortunately, during the past year your Executive Committee has had but little work to perform, but as the success of the Society and the continued confidence of its members in the necessity for its existence rests largely upon the selection of men of acknowledged ability fairly representing the different departments of medicine, therefore due care should always be exercised in this direction to have law, medicine, surgery, ophthalmology and atology, obstetrics and gynæcology, represented on your executive board.

PAPERS.

Continued efforts are necessary to secure papers on suitable topics, and I feel quite certain that I may be permitted to congratulate you on your good fortune in securing as your President for the ensuing year, Dr. E. J. Doering who, by his industry and ability, contributed so largely to the success of the Chicago Medical Society, and whose name is a guarantee for the successful completion of whatever he undertakes. It has the *Do* with a *ering* to it, *Doering during* the year means *doing*, and his success in professional life has been no greater than his success in stimulating medical workers; hence, I know, the papers will be forthcoming. It is a source of personal gratification to be able to transfer the duties of the office into such capable hands.

CRIMINALITY.

BY WILLIAM G. STEVENSON, M. D., OF POUGHKEEPSIE, N. Y.

The evolution of humanity has ever presented problems to be solved and phenomena to be interpreted ; and eager minds, in all ages, have striven to obtain the key which would unlock the mystic laws of creation, and reveal to man the rule which directs his actions and defines his responsibilities. In this effort, the struggle of the human mind has been long and arduous, and the sources of knowledge have been as many and varied as have been the answers given or results obtained.

Ignorant alike of his origin and destiny, unable to comprehend the relation he sustained to external nature, or to interpret her phenomena ; impotent to resist the influence of the unseen but mighty forces which constantly displayed themselves in his presence—man recoiled in terror, and in abject fear prostrated himself before the power which exhibited itself in such majestic but terrible grandeur. He ascribed to these blind forces personalities, and supplicated them as gods, to gain whose smiles or shun whose frowns an ignorant humanity propitiated by offerings and sacrifices.

Read before the Medico-Legal Society, May 2d, 1877.

Thus was erected the shadowy structure of mythology, whose foundation-stone was ignorance, and whose framework was composed of the capricious imaginations of an infant age. But as by observation and experience man learned to know the truth, and thereby to dissipate the superstition of the past, so, by the accretion of knowledge, he began slowly but surely the demolition of this delusive structure, and it tottered to its fall. Yet as the light from a distant star is visible for a time, even after the star substance is blotted from existence, so the shadow cast by the colossal illusions of primitive man has come fleeting down the ages, leaving on all distinct impressions, and even tinging the present with its phantasmagorical character.

The human mind, no longer a blind worshipper, but an intelligent interpreter of phenomena, has made many and important discoveries in the realms of nature. No longer do the patristic doctrines, with their false cosmogony, influence and deceive the world. Science, as now interpreted, takes measurement of infinite space and inconceivable magnitudes ; analyzes stars and nebulæ, and determines the forces which aggregated suns and hurled the planets onward in their orbits ; it probes the earth, and from its secret depths takes evidence of time, infallibly demonstrating the æons necessary for the forming of the earth and developing the life thereon ; it grapples with power, and makes the universal laws of nature subservient to its purposes.

The correlation and conservation of forces are estab-

lished, and give to heat, light and electricity a common origin.

From the swinging of the pendulum and the rush of worlds in space ; from the dew-drop sparkling on the blade of grass and the wide expanse of sea ; from the light which flashes through the heavens, kissing the earth in gladness and with such delicate tinges touching the hills and vales, lavishing beauty and perfume upon their trees and flowers ; from the crystal whose fixed axial ratios give to each variety definite and invariable form, building in strength the foundations of the earth ; from the organic cell of the fungus, so lowly and humble in life, and the organic cell whose action produces man and evolves human thought—from all these, from everything in nature, there is evidence of invariable law, whose action fills the world with music both rythmical and sweet.

Man himself is of and belongs to nature, and his every action and thought are in obedience to vital laws. True it may be that the problems of his own existence are more complex and difficult of solution than those of inorganic nature ; but nevertheless they are within the domain of law which is universal, and which is ceaseless in its workings.

We see all the displays of nature bound in the chain of cause and effect. We acknowledge the obedience of man to law in all the manifestations of bodily function. And now let us ask, with a sincere desire to know the truth, is there not some rule or law which influences the

acts of man, and, in proportion to this influence, are not his responsibilities under law directly modified?

It is man's prerogative to make inquiries of things around, to investigate, explore and learn. He does indeed believe before he knows, but his belief is ever mingled with doubt; the doubt, not the belief, stimulates him to research; and research, by increasing knowledge, banishes doubt and thereby changes belief. His inquiries established facts, and facts have accumulated through continued inquiries, until now he knows that the world is ruled by laws so fixed and immutable that the human mind not only measures back the flight of ages, solving the mysteries in the morning of the world, but with prophetic vision sees and demonstrates much that is to be in the distant future. And yet the human mind is finite, and there are limits to its searchings; it cannot penetrate the veil which hides creation from its view, nor fathom the mysteries of "that undiscovered country from whose bourne no traveler returns." The primal source and essential nature of matter in its varied forms, of energy, whether physical or vital, are as yet an incomprehensible mystery.

In studying the philosophy of human action, I fully recognize the limited extent of exact knowledge relating to the union of body and mind, and their mutual influence on each other; but I also am aware of the many facts revealed by studied observation and experimental research in nervous physiology, and entertain no doubt that the evidence is sufficient to enable us to determine.

with approximate accuracy, at least, the bodily and mental conditions which give the bias to individual character.

No method based on introspective deductions can give a satisfactory interpretation of mental phenomena, any more than the same method can account for the phenomena of the physical universe ; because the evidence evoked from the depths of human consciousness can furnish no perfect standard by which to measure the conditions of human action. This will appear evident when it is remembered that the value of self-consciousness depends largely, if not entirely, on the amount of knowledge possessed by the individual, for without knowledge there can be no correct interpretation of facts ; and since the acquisition of knowledge differs in every individual, both in quantity and quality, it necessarily follows that the interpretations of self-consciousness must present widely different results, and be destitute of any positive value. We must therefore appeal to the evidence derived from the examination of particular cases, and only generalize into laws or rules of action after observations have established facts as data for conclusions.

Investigation has abundantly demonstrated, as a fact of primary importance, that nerve tissue is essential to the production of, at least, the higher phenomena of animal life, and that these phenomena vary in degree and character in proportion to nervous development. From the lowly forms of animal life, whose nerve centres produce only reflex action in its simplest expression, up-

ward through every series of progressive development, with the super-additions of nerve centres, which add to the complexity of nerve function, there is accumulated evidence that every such additional centre furnishes a source of new power, potentially capable, within certain limits, of modifying the action of the subordinate centres, yet, nevertheless, incapable of wholly negating their specialized functions. Thus the organic nerve cell presides over nutrition, and, so far as the simple vegetative growth of an animal is concerned, its action is all-sufficient; but in order to connect simple organic growth with the phenomena of animal life, an additional centre of force is needed, and there is evolved the reflex centres of the spinal cord, which unite vegetative growth with animal action. The sensory centres being next evolved, there is the possibility of sensory added to organic and reflex action. But there is no consciousness of life, of motion or sensation; evolution goes on, and the brain becomes the conscious centre of that energy which presides with such mysterious power over the thoughts and actions of man.

To fully understand the functions of the brain necessitates a knowledge of the functions of the spinal and sensory centres, for there are many acts performed by man which bear the semblance of conscious volition, and yet, when correctly interpreted, give evidence of automatic action only of the reflex centres of the spinal cord and sensorium. Although a few cases have been reported in which, apparently, limited nerve action resulted

without the existence of the proper nerve elements, as fibres and cells with their prolongations, yet it is an accepted fact that nerve force exists only within the boundaries of the nervous structure, and that this nerve force is generated not only in the cells, but also in the fibres, as seen when they are at rest. In a limb removed, for example, oxygen or strychnia restores nervous energy after its complete exhaustion.

Nerve force is not generated by any volitional effort. As magnetic, frictional and statical electricity are only different forms of expression of the same energy, so a simple impression, sensation, ideation, emotion and volition are but different forms of expression of the same nerve force, and come from the special molecular structure of the organ through which they are manifested. This unity of nerve force precludes its intense expression in more than one way at a time, so that if there is great bodily fatigue, mental work is impossible, and *vice versa*; neither can volition hold full sway in the presence of deep emotion.

Nerve energy is transformed into motion, as evidenced in muscular action ; it is also transformed into heat, but it is not known whether this is an immediate or secondary result. There are a few instances recorded which seem to show its transformation into light, and it is well known that in certain animals electricity is the direct result of its metamorphosis. From these data the conclusion seems authorized, that at least a partial correlation exists between the physical forces and the energy

resulting from nerve action. I say a partial correlation, because, while the evidence may permit the conclusion that nerve force is transformed into motion, heat, light and electricity, it does not justify the conclusion that these can be re-converted into nerve force.

It is important to remember that the character of nervous and mental phenomena is determined by the condition of the nerve centres, whether the condition is one of development of the centres themselves, or of modification by disease, or by foreign substances. The existence of the spinal cord alone predicates the possible existence of automatic reflex action, which, though unconscious, gives evidence of the use of means to a special end. Add to the spinal centres the medulla oblongata, and there result the involuntary and unconscious co-ordinate muscular movements of respiration, swallowing, coughing, and simple exclamation. Unconscious sensations of pleasure and pain, of taste and hearing, come by the addition of the annular protuberance, while the tubercular quadrigemina alone give visual power. The cerebellum co-ordinates the muscular movements of the body, while the cerebrum not only determines the nature of the mental life, but it alone is able to bring the varied sensations of nervous action within the domain of consciousness. The existence of these several general centres is therefore necessary in order that the many acts of human life may be performed, and as a necessary corollary, it is found that in proportion as any centre is undeveloped, diseased or modified, nervous or mental action will be

changed, limited or arrested. That mind is influenced by, and is dependent on, the physical condition of the brain, is again evident when we remember the effect caused by a poisoned blood, on all mental expressions. Hashish, opium and alcohol, for example, weaken the will, exalt the automatic action of the brain, disturb perception, exaggerate self-consciousness, distort the emotions, dethrone reason, and cause moral turpitude. Diminish the normal blood supply to the brain and the mind changes its character ; restore the needed amount, and the mind promptly responds to the altered condition.

Old age, injury, fatigue—anything which impairs the normal nutrient action of the nervous centres of thought—directly modifies intellectual and moral manifestations ; and the conclusion is irresistible, that every psychical manifestation has a physical antecedent, and that cause and effect are as certainly established within the realm of mind as of matter. To explain the “how” and the “why” of mental action as a result of physical conditions is impossible. So, too, is it to explain how electricity comes from the union of metals with an acid ; or how life springs from a seed, or perfume from a flower. They are ultimate facts, and as such are beyond explanation ; but, however complex the problem, the fact remains that definite conditions invariably produce definite results.

In solving the problem of criminality, it is my purpose to rely chiefly on the evidence of nervous physiology ; and while I shall not be able to present in detail the many

facts at hand relative to mental phenomena, I shall nevertheless endeavor to cite such as may be needed to sustain the position that criminality is a neurosis, originating in either an inherited or an acquired condition of the brain, whether it be a condition of positive disease or of non-development of certain faculties—the existence of which would preclude the possibility of crime.

At the very threshold of the inquiry, it is important to know the relative qualities of men which pertain to their acts in life, for, if equality exists, it is evident that we may the more easily formulate a rule by which to measure human action; whereas, if equality does not exist, it is apparent that we must measure each person's acts by some standard of his own, with special reference to his individual organization and surroundings. The question of equality may be considered from the dual standpoint of actuality and possibility; that is, are men equal in physical and mental endowments, or, if not, are they capable of being equal in the attributes of either body or mind.

As to the first proposition, the actual equality of men, I will only say that the negative is so self-evident as to need no demonstration. We have only to look around us anywhere and everywhere, and the fact becomes glaringly evident that in physical prowess, at least, a great inequality exists; that which one person is unable to perform, even when under the influence of well-regulated discipline, another easily accomplishes, and we correctly impute to the latter a greater natural strength.

Each individual link in the great chain of human life has potentially a specific, a personal strength, which is measured by the amount of tension or strain each can endure ; or, in other words, the amount of active energy each is capable of exhibiting. This inequality of energy, whether active or possible, extends beyond the physical into the intellectual and moral nature of man.

The actual existence of intellectual and moral inequality is even more marked than the physical. Between the intellectual standard of the untutored Australian negro and that of a Newton or a Shakespeare, or between the moral standard of the most depraved criminal and that of a St. Paul, there are as many varieties as there are individuals of the race.

In the mind, as well as in the body, there is also an inequality of possible power. Each individual of the human race possesses a certain brain organization, which will admit of intellectual and moral development to a certain degree ; but no discipline, no method of education, no power of the will, can advance it beyond this limit. Thus far and no farther, is the dictum of creative energy.

The eye has vision only within the limits of the visible spectrum, beyond which all is darkness. The ear can discern sound only when the vibrations are within well-defined boundaries, beyond which the harmony of music is either lost in the discords of noise, or the vibrations are so rapid that nerve tissue is powerless to convert them into sound ; and yet that which may prove the

limits of the visible spectrum or measure the power of audition to one person, may not to another. We know that certain animals can see where all is darkness to man, and hear sound when, to the human ear, all is silence. So, too, with the human brain. One is capable of receiving and assimilating certain impressions of a specific nature, by which a definite character of mind is formed, while another is so organized as to receive and assimilate impressions different in quantity and quality, and there results a mind of peculiar endowments and powers. And here it is important to observe that the reception of impressions by the brain does not of necessity predicate the nature of their assimilation ; for as the different elements of food to the general system are selected and assimilated by different tissues, and produce bone, muscle, nerve and blood, so the nature of the assimilation of mental impressions varies according to the potential nature of the brain tissue, whose duty it is to transform impressions into ideas and modes of thought.

The inborn capacity, or potentiality of brain tissue possessed by Newton, made it possible for him to so assimilate mental impressions, to take such a periscopic view of things, as to evolve from the depths of his mighty mind the laws by which atoms aggregate to suns and worlds are held in their orbits. His discoveries were not of chance, but of necessity, and the inherent qualities of his brain, made his mode of thought an irresistible destiny.

The acts of each and every man, whether of humble or exalted mentality, are but so many scenes in the great

drama of individual life, but panoramic views constantly revolving before us, moved by machinery behind the scenes ; that machinery is the human brain, which, in proportion to each individual capacity, gives forth, in the human mind, the power to act.

The idiot possesses an inferior brain organization, and necessarily an exceeding low order of intellect ; indeed, were it not for his human form, he would not outrank many types of lower animal life.

Why the difference in two children who start in life under the same conditions of bodily and mental discipline ? Evidently not because of early opportunities, for herein both were equal ; but the difference comes from the potential character of brain tissue, which in one gave great inborn capacity to assimilate impressions, while the other was unable, because of an inferior or weaker inborn capacity of brain structure, to receive more than the simpler impressions from his life's experience, and his mode of thought and action correspond with the static energy of his organization.

Nations and peoples differ from each other in their ideas of law and civil government, religion and morals, and these differences have existed from the earliest monumental history of man, and as strongly mark the present diversity of races as do the color of skin or form of skull. These intellectual variations result from the different brain capacities of the several species, and thereby absolutely preclude an intellectual equality except through amalgamation, by which the superiority of

one is depressed, while the inferiority of the other is elevated, until a temporary equilibrium is produced.

So, too, with the individual elements which form each and every human variety ; each possesses a brain organization of definite statical power, capable of receiving and assimilating a specific amount of impressions, from which is evolved energy of a specific quality. One person exhibits a character pre-eminently noble, unselfish and brave, which shrinks from no labor, however arduous, nor fears danger when in the discharge of duty; the altruistic element predominates, and he becomes a benefactor of mankind. Another is egotistic, seeking only his own good, regardless of the claims of others, without charity or love, as vulgar in mind as he is cowardly at heart, to whom appetite is synonymous with duty, and to whom obedience to law, through fear of penalty, seems an abridgment of human liberty. Between these examples there are as many distinct characters as there are individuals of the race, and who is there to proclaim equality to all ? Intellectual and moral differences depending on organization are, therefore, known to exist, and I now come to inquire relative to the transmission of these differences from parent to offspring.

That "like begets like" is a truism of general belief, and rests for its acceptance on the facts, so long observed, that whether in lower animals or in man, the general and special traits of character belonging to a parent are developed in the offspring. This repetition of similar forms and qualities is known as heredity ; a biological

law which involves both the morphology and physiology, the form and function, or the statics and dynamics of the organism. Within the limits of specific characteristics the law of heredity is well defined, both as to form and function ; and although slight variations ever exist which enable us to identify one individual from another, yet the boundary line of species defines with much accuracy the physical and mental traits which belong to them. Hence an animal that possesses a form or an instinct differing from that of its species, is a morphological and physiological monstrosity. A dog with hoofs or wings is no more a monster than is a dog whose instinct impels him to perform the actions of a sheep or a bird.

There can be no doubt, therefore, but that the heredity of specific characters is a well-established fact, and the question is thus narrowed to the solution of individual peculiarities.

The heredity of individual form or external physical characters is so well known and so universally acknowledged, that a few examples only will suffice to demonstrate the fact.

Your attention is simply called to the different breeds of cattle, of which the "short-horn" is a typical illustration, and it is at once apparent that the individual peculiarities are inherited. Does not the horse furnish strong evidence of personal heredity, thereby giving us either the strong draft-horse or the fleet courser, each having his own family likeness ? Does not the pedigree

of the greyhound, of the shepherd dog or spaniel determine the physical conformation, as well as the special qualities which give value to each individual? Assuredly, yes! It is useless to enlarge the list, for it is acknowledged by all that the bodily likeness of the offspring of the wild or domesticated animals is but a repetition of the form and features of the parent stock.

With man the same law obtains, and hence we see the child resembling either the father or mother, or some member of the ancestral line, not only in general form and feature, but in the minute details of the organization, such as color of hair and eyes, tint of skin, size of bones, obesity or spareness of body, shape and size of nose, ears, hands and feet, in movements, in voice—in short, in everything which goes to make up the general bodily *contour* or expression.

Even deviations from normal types are transmitted and retained so long as there is obedience to the laws of heredity; a noted example being Lambert, “the porcupine man,” so called because of the horny excrescences which thickly covered his skin. This condition was transmitted through six generations. Polydactylism and ectrodactylism, albinism, rickets, as well as bodily mutilations, as the loss or injury of a member, are other examples of transmissible physical conditions. These deviations from the normal type open a wide field of inquiry as to the possibility of establishing new species through the influences of inheritance; my present purpose, however, is only to speak of facts as we know

them, and as they relate to the phenomena of animal life and action.

It has been shown that heredity is potent to determine the physical form of animal life ; and the question now is, Will it also determine the functions of the organism ?

A few facts will show, first, the relative heredity of instinct, then of perception, and lastly of ideation, which will warrant the deduction to be made that heredity influences function as well as form. Birds hatched in a cage will, when liberated, build their nests of similar materials, in the same way and of the same form as do their parents ; if migratory in habits, they will take their flight at the same time and direct their course to the same latitude, guided in all by an instinct which, without the aid of experience, is made perfect by inheritance. The young squirrel accumulates its store of nuts, thereby protecting itself against the contingencies of winter, of which it has no experience ; the beaver builds his dam, and the duckling seeks the water, obedient to an innate impulse which is irresistible.

These are examples of primitive or natural instinct, which, to some degree, exists in every type of life, from the *Monera primitiva* to the *genus homo*, and which may be defined as “an act conformed to an end, but without consciousness of that end.” It is an unconscious form of intelligence, whose special mode of action in the different varieties of animal forms is an exact correlative of the development of the nervous centres in these varieties. This blind, impelling force—this un-

conscious intelligence—is transformed into a teachable intelligence when the evolution of nerve centres makes possible the existence of ideas, reason and will. Now it is that acts performed are modified whenever the surrounding conditions necessitate a change, and there is developed an acquired instinct, an addition to the primitive nature, which in like manner becomes an element of heredity.

Leroy states that where the fox is much hunted its young exhibit a more cautious and crafty nature than do old foxes in districts where there is but little warfare against them, and Cuvier explains this fact by the heredity of acquired instinct. Knight affirms that the habits of the English woodcock have undergone great change, and that its fear of man has greatly “increased by its transmissions through several generations.” Darwin has discovered the fact that in those places but little visited by man the animals are very tame, and acquire fear in proportion as they learn his methods of destroying them. He also gives as a fact that small birds are less wild and shy than large ones, and reasons that it is because the large ones are more persecuted by sportsmen ; for in desert islands timidity does not differentiate the two.

If the animal is teachable, it requires several generations to fix the acquired character, during which time there is a silent conflict between the acquired and natural instinct—a struggle to maintain the present acquisition, and a struggle to revert to primitive habits. This is well observed in hatching the egg of a wild bird under

one domesticated ; for no sooner is the young one forth than it strives to obey its natural instinct and fly away, and it is only after the influence of domestication has been carefully guarded and conserved through several generations that the acquired predominates over the primitive instinct.

I now come to inquire relative to the heredity of the perceptive faculties : the senses of touch, sight, hearing, taste and smell—these inlets through which impressions of the outer world reach the sensorium, and by it are converted into conscious sensations. Here, too, we find that the law of specific heredity obtains not only in the quantity but also in the quality of sense perceptions, as a single example will illustrate ; the senses of smell and sight in the dog are markedly different in degree from the same senses in the bee or bat, and these, in turn, develop the sense of touch to a degree unknown to the dog ; these differences are the birthright of the species, over which heredity has absolute control. The individuals of each variety, however, have their own personal aptitudes, which are exceedingly varied, and for a moment we will inquire as to their transmission.

Touch is the fundamental sense, giving the most essential evidence of the external material world, through the impressions of hardness, softness, elasticity, heat and cold. Not only is there a marked difference between those who inhabit the arctics and the tropics in their ability to endure extremes of temperature, but tactile sensation also varies so that what is a painful

sensation to one will scarcely be felt by the other ; the Lapp is so insensible to tactile impressions as to almost justify the assertion “that you must flay a man to make him feel.”

Of the other four senses I will say that sight is decidedly influenced by heredity, as instanced in those cases of myopia and hypermetropia which depend entirely on mechanical conditions and which are perpetuated through generations. The Fuegians have acquired by use and fixed by heredity the power of a long range of vision, surpassing even the long sight of the sailor, while short sight is engendered by intellectual pursuits. Daltonism, or color blindness, is hereditary, as is also the diminished sensibility of the optic nerves—from partial anæsthesia to perfect amaurosis.

In hearing, further evidence is added of heredity in those whose audition is limited to the diatonic scale, as well as those who have a “musical ear” with wide compass, as exhibited in one hundred and twenty members of the Bach family or in the three Mozarts.

Smell and taste are also transmitted functions, as illustrated in the acute scent of the canine race by which the dog is enabled to distinguish, with remarkable accuracy, the odors belonging to different animals and men. Gratiolet states that a young dog that had never seen a wolf became greatly excited on smelling an old piece of wolf skin ; this was evidently the result of heredity.

In man the sense of smell is much less acute than in lower animals, and yet some races have it extraordi-

narily developed. The maroon negroes of the Antilles have the imputed ability to distinguish, by this sense alone, the trail of the white man from that of the black man. Some families possess strong antipathies of smell and taste for certain articles of food, as for ch  ese, strawberries, etc., and it is possible that cannibalism in the offspring of savages results from an hereditary taste for human flesh.

Thus briefly have been presented a few facts relating to the heredity of the senses, and it now remains to observe its influence over those faculties or functions which are made manifest through the action of the ideational or cerebral centres. The masterly labors of Galton and Ribot have established the fact that a general law of heredity obtains in the mental, as well as in the perceptive and physical life. Memory, as a physical process of nutrition, making record of the products of ideation and imagination, either creative or reproductive, as witnessed in poets, painters and musicians, are under its modifying influence ; as is also the highest exhibition of mentality in which the ego, independent of objective conditions and sensations, observes only subjective conditions and phenomena ; and the emotions, reason and will manifest their energy, as exhibited in science and literature, or by the statesman and soldier. In each and every case the evidence confirms and strengthens the claims of inheritance.

Thus do we see the influence of heredity in forming the character of instinct, perception, intellect and will ;

and there yet remains the interesting question as to its influence over the appetites and passions, including all the moral impulses, either normal or abnormal, and the pathological conditions to which the physical and mental life are subject. This brings us into the immediate presence of the criminal, and invokes an analysis of those physical and mental antecedents which give the bias to his individual character, and which so irresistibly impel him to crime.

(To be continued.)

IMBIBITION OF POISONS.

BY PROF. JOHN J. REESE, M. D.

My Dear Mr. Bell :

In the remarks accompanying a paper by Dr. George B. Miller on the *Post-Mortem Imbibition of Poisons*, republished in the June number of this Journal (1887), the very important and significant question is raised, or rather is quoted as having been “submitted to the chemists who were consulted” in a recent, somewhat remarkable case of suspected arsenical poisoning : “Can you discriminate by chemical analysis, on an exhumation of the cadaver, between the arsenic we are sure to find therein, (*viz.*) that which was produced by absorption, *post-mortem*, in the embalming process, from the arsenic or other poison given before death, and which undoubtedly caused death ?” Or, as it is afterwards put : “Can the chemist by any means now known to science detect the murderer who poisons his victim, and at once thereafter fills the body with an arsenical solution, under the pretense of embalming it, using an extra large quantity purposely ?”

The case of suspected poisoning which has given rise to the above queries, is both interesting and instructive; and the circumstances attending it are strongly suggest-

ive of guilt, on the part of the accused. I am further of the opinion that this is by no means a solitary instance of such a criminal procedure. I will, therefore, with your permission, endeavor to reply to the above questions, seeking to throw such light as I may be able upon a confessedly obscure subject.

The subject of the *Post-Mortem Imbibition of Poisons* has not, I think, received from toxicologists and medical jurists that degree of consideration that its importance demands. Indeed, until within a very few years past it appears to have been entirely ignored. The distinguished Orfila, it is true, as far back as the year 1847, alludes to the fact of such imbibition, based upon his own experiments on animals, and he admits the possibility of its being practiced on the human body with a criminal intent; and Sir R. Christison also records his belief in the same possibility, although he had never himself heard of an actual case.

In the year 1877, I published a paper (Trans., Col. of Phys. of Philadelphia, 1877) on the *Post-Mortem Imbibition of Poisons*, based on a series of experiments made at my suggestion, and under my supervision, by Dr. George McCracken, of Philadelphia, at the University of Pennsylvania, with a view to determine this question more specifically. These experiments, carefully conducted upon the bodies of dogs and cats with solutions of arsenious acid, corrosive sublimate and tartar emetic injected into their stomachs, conclusively established the fact of the imbibition, or osmosis, of these

different poisons into the various organs, as the diaphragm, heart, lungs, liver, spleen, kidney and urinary bladder—these various substances being detected in the above-mentioned organs by the appropriate chemical reagents.

I do not think, however, that either the brain or spinal cord was examined at that time. The subsequent researches made by Dr. Miller, as detailed in his paper above alluded to, entirely confirm this statement ; with the additional fact that traces of arsenic were discovered by him in the brain ; and which latter assertion seems to be corroborated by some experiments made by Dr. V. C. Vaughan, of Ann Arbor, Michigan, in 1883, and by Dr. Kedzie, of the Michigan Agricultural College, about the same date.

As regards the question whether a poisonous solution injected into the human stomach after death, can penetrate by osmosis into the *brain* and *spinal cord*, although the above experiments would seem to justify our assent to the proposition, nevertheless the proof is not quite as clear and positive as we should wish ; since, in some of of these experiments, it is intimated that the solution, at at the time of the injection into the stomach through the pharynx, *regurgitated through the nostrils*, and consequently might possibly have gained access to the brain *directly*, through the ethmoid and sphenoid cells. At all events, I think that this latter question, *viz.* the post-mortem imbibition from the stomach into the brain and spinal cord, should be more thoroughly investigated

before challenging our unqualified assent. I deem it to be a question of such vital importance in this particular connection, that its settlement should be established by the most indisputable proofs.

The importance of this question will be perceived at once. If, for example, it should be positively determined that the poisonous solution does *not* penetrate into these two great nerve centres after death, we should then be in possession of a certain and reliable means of discriminating between a poison administered before death, and one injected into the body after death ; since its discovery in the brain or spinal marrow of the deceased, by the toxicologist, would then be proof positive of *ante-mortem* poisoning ; although, on the other hand, its non-discovery in these organs, would not, of itself, justify an opposite conclusion, *viz.*, that of the *post-mortem* imbibition, inasmuch as we well know, many fatal cases of poisoning do occur without the analyst being able always to detect the lethal agent in these organs after death. I would therefore again beg to draw attention to the importance of further investigations of this vexed question, special care being taken to guard against regurgitation into the posterior nares, when the solution is injected into the stomach through the pharynx ; and also recommending the additional experiment to be made of injecting the poison through the rectum into the intestines, since the imbibition into the different viscera will take place from these latter organs equally well as from the stomach.

In conclusion, I will endeavor to answer the final important and practical question in your article, in which the appeal is made "to chemists throughout the world": "How can we discriminate, so as to detect and differentiate the poison taken *ante-mortem*, which caused death, from the poison purposely introduced after death into the abdominal cavity, or per rectum, for the purpose of hiding the crime under pretense of embalming the body?" I believe there is no known method by which such discrimination can be made, if we have to rely exclusively on the chemical analysis of the body, since this simply establishes the *fact* of the presence or absence of the poison, but does not necessarily disclose its *mode of introduction*. But the following points or propositions may, I think, materially aid in the elucidation of the subject :

I. A knowledge of the *symptoms* before death, where this is obtainable, will frequently throw much light on the case, although too much stress should not be placed upon symptoms merely, inasmuch as the symptoms of many diseases strongly resemble those of certain poisons. Thus, I have known several cases of fatal arsenical poisoning to have been mistaken for cholera morbus, and treated as such by the attending physicians, and the certificate of death to be so made out, but in which I subsequently detected in the viscera large amounts of arsenic.

II. The chemical examination of the urine of the deceased. As is well known, the kidneys rapidly eliminate

arsenic (and the same is true of other mineral poisons) from the body ; and it is generally possible, for the analyst to detect the poison in the urine, both before and after death. Its discovery in this secretion may, I think, be regarded as very conclusive evidence of *ante-mortem* poisoning ; for, although it is true that the urinary bladder, in common with the other abdominal viscera, was found contaminated by the post-mortem imbibition of the poisonous solutions, in the experiments above detailed, yet I think it scarcely possible that the poison, would percolate through the coats of the bladder so as to affect the contained urine. The record of the experiments was simply the production of a yellow spot on the surface of this organ. Nevertheless, in a capital case where the evidence of poisoning hinged upon this particular aspect of the subject, I should not like to swear that such a thing might not be possible.

III. The finding of the poison, on the exterior of the organs, and not in their interior, is I think very positive evidence of post-mortem imbibition, since in a true *ante-mortem* case, the absorbed poison is always deposited in the interior of the organ quite as distinctly as on the outer surface.* But, practically, this is often a difficult matter to decide, especially after the lapse of a long interval of time, and where the organs have become much broken down by decomposition.

IV. The discovery of poison in the stomach after

* *Vide Orfila, Toxicologie, 1852, I., p. 63.*

death cannot be regarded as absolute proof of its ante-mortem administration, since, as we have seen, it might have been injected after death ; and there is also the further *possibility* that if introduced into the intestines through the rectum, it might by imbibition penetrate even into the interior of that organ, just as in the supposed case of the urinary bladder above alluded to.

Philadelphia, July, 1887.

TRANSACTIONS.

MEDICO-LEGAL SOCIETY.

DISCUSSION OF MR. WHITON'S PAPER ON "THE PENAL ASPECTS OF
SUICIDE."

(*May Meeting* 1887.)

PRESIDENT CLARK BELL IN THE CHAIR.

Dr. S. N. Leo :—I think this is a subject which is worthy of great consideration, especially in view of the fact, that legislation inflicts a penalty in these cases. At the same time it has always been my opinion that suicides should be divided into two classes, those who are really responsible for the commission of the crime, and those who are mentally irresponsible.

We may have a father who has three or four children stricken down with disease—a wife whom he dearly loves, and in his despair he takes his life ;—we have a son who loses a parent—a wife who loses her husband, and therefore is so grief stricken that she takes her own life, and is certainly not responsible for her own act, and it is ridiculous to say that the law shall step in and inflict the same punishment on her, as on the man who is legally and technically responsible for that crime. Look among the Laws on the Statute book, there is a certain amount

of justice and a great deal of injustice, and of course where the person succeeds in taking their own life, no punishment is necessary, but where they are often arrested in the act of taking their life, it is a very strange justice to award the same amount of punishment.

Dr. Gabriel Grant :—I think this subject for the last few years has been assuming a phase, which takes it out of the legal cold philosophical aspect, and into a domain of those who seek to find facts in the social surroundings of communities of cities and empires. I have made some observations in Germany, and in Saxony, there is no place where this disease of suicide has assumed so pathetic an aspect.

To show you how common it has become—fourteen persons committed suicide in the City of Dresden in the month of February, and they were persons, two of them in advanced life, and the balance of them were young, most of them from fifteen to thirty-five, a number of them students graduating, and you may find an average of ten every month through the year. It is a very common thing for an officer in the army who, while he wishes to commit suicide, owing to the disgrace attached to it takes another beside the ordinary way, called an American duel. An American duel is, that of a person having his honor impugned, goes to his antagonist and they draw lots, and the one to whom the lot falls kills himself. It is only another name for suicide.*

[NOTE BY THE EDITOR.—Doubtless styled an “American duel,” from the fact that such a contest is wholly unknown in the American States.]

It has become a very grave question what the facts are, leading to it, and to punish those persons who take their own lives, or rather attempting it. It is a disease, and the grave inquiry that comes to every one who studies the subject is, what is producing it?

Thus, one hears of a nobleman, unable for a time to meet his creditors, who commits suicide for shame. You read the history of Saxony and find that she has been very unfortunate in her wars, and has been until recently the losing party. The people are not always the poorest in the world, there are poorer in Norway,—it is a country that has great elements of power, it has a great deal of learning, and, I suspect strongly, it is on account of such power of learning, that has something to do with it, for if you have great machines of education, the machine should suit the people.

In the statistics that have been furnished me every week suicide has been a very prominent cause of death.

There is a marked disproportion of suicides occurring annually in different countries. While there are seventy in a million of the population in Spain, seventeen in Norway, there are between three and four hundred in several of the German states and *over four hundred in Saxony.*

Pres. Bell—How long have you had these statistics?

The last three years as far as I can recall. I am not prepared to give them now.

At certain seasons of the year suicidal mania is more prevalent than at others. I have noticed that in February more occur, it is a cold damp month.

Pres. Bell—I would also like to ask if in cold weather, fine weather or stormy weather most occur?

Brierre de Boismont in his essay on suicide of the insane, gives statistics, of various countries, which corroborates in some respects the suggestions of Dr. Grant.

Mr. Bach—I would like to ask Dr. Grant a question. Whether he considers suicide a disease. Do you consider the man who commits or appears to commit suicide diseased?

Dr. Grant—That is a question which leads us over a vast field. I have always supposed it was a disease. It is certainly a departure from the normal condition of health.

Mr. Bach—I think, Mr. President and gentlemen, it is a matter of great importance to first determine whether a person attempting or actually committing suicide is diseased. It is important in connection with the consideration of the penal aspect of the case. If a person is suffering from a disease, and under the influence of that disease commits an act, which, if he were in a normal condition of health he would not commit, in my opinion it would be wrong to punish that person as for the commission, and in the question of life insurance it is of vital significance whether a man is in sound mind when he commits suicide or whether he is not. Our Court of Appeals has decided, apparently, that a man who commits suicide, is not a person who dies by his own hand cognizant of the fact. In other words they have substantially decided that the man is *non compos*. Insurance companies now-a-days are recognizing the force

of the decision of the Court of Appeals on that subject, and one company notably has seen fit after three years to make its policy indestructible; whether a man commits suicide or whether he does not, whether he dies from a natural cause. Now certainly, to my mind, as Dr. Leo has remarked, it would be in itself, a crime to punish a person who attempts to do away with himself in a moment of mental aberration. Who is to decide whether a man who attempts to kill himself is insane. It is, however, well understood if a man gets an insurance on his life and purposely and wilfully commits suicide, knowing or believing that he has nothing to live for, in order to pay back an indebtedness that he has contracted, that man is guilty in my opinion of a crime, a crime against society as well as the company which he cheats out of money. But the vast number of people who are willing to end their earthly career, do not do it because they want to cheat any body; they do not do it because by doing it they feel they can accomplish anything else, but end, what they consider, a misery that cannot be borne. I can understand a man being reduced to such a condition from abject want, from a hopelessness concerning the future, that he could calmly and deliberately kill himself. Now, to say that a man who commits suicide is necessarily out of his mind is perhaps going too far; the penal aspect of the case is one of vast importance to the community.

Mr. Moritz Ellinger--I am very grateful to the gentleman who read his paper because it furnished a history of legal

enactments regarding suicides, which rather than legal enactments to punish suicide, were enactments intended to disgrace suicides and to create amongst people such an abhorrence of it that they would not resort to it. Suicide is not always the destiny of a useless man or a morbid man. I hold that suicide may proceed from as noble a motive as that which makes a man offer up his life voluntarily for any principle that requires such sacrifice. Man shows his highest standing in nature by showing in his action that he is capable of sacrificing that which he regards as highest of all that he possesses, in order to vindicate his principles. We know from observations such as lately have been made, that some animals intellectually gifted are capable of committing suicide from grief. It has been absolutely established that dogs who lose their masters refuse to eat and starve themselves, and some of them have drowned themselves; but to offer up your life for the salvation of your country, for the benefit that accrues to somebody else, is a quality that only man can exhibit. This may make a man offer his life. It may seem selfish, but it is higher than the common interpretation of getting rid of a burden. We know that there are men who are highly sensitive of what they call their honor, and when they are, in their sense, offended, and cannot vindicate it, that consideration so oppresses them that life loses all the value it possessed in their eyes.

In the statistics furnished something struck me as remarkable, and that was, that in the countries where the

Catholic religion prevails to the greatest extent the number of suicides is less than where the Protestant religion prevails.

Mr. Bell—You think there is a higher average of the number of suicides in the countries that are more largely Protestant than in the countries that are Catholic?

Mr. Ellinger—I think so, and it is borne out by the paper just read. The punishment of suicide is more a matter of religion than of penal enactment, because religion furnishes the bridge which connects the mortal with the immortal, the present with the hereafter. The more you impress a man that he is responsible in the hereafter if he commits a crime, which he shall not answer alone to man for, the more unwilling he is to do it.

The Catholic religion is the only religion that refuses burial to suicides on consecrated ground; it insists that they shall be buried outside the pale of the Church, and there is no greater hardship for a religious Catholic. This prevents suicides from becoming more common; they are afraid of the hereafter. Burial in consecrated ground means being received in the assemblage of those who belong to the church; it is the all and all, to them, and being buried in unconsecrated ground is expulsion from that Church, an expulsion that extends to an eternity, which for every Catholic is horrible to contemplate. The number is thus far less, in Catholic countries, than where the Protestant religion prevails. The fact is, that suicide is increasing wonderfully of late years, and I think it owes its increase somewhat to the advance of free thought and

philosophical reasoning. A man who has nothing to expect from the world to come, but who seeks all his achievements and enjoyments in this world, when mis-haps occur there arises the question, why does he not get out of this world? Then he simply throws away his life; the world to come has no interest for him and it has no horrors.

There have never been so many suicides as in modern times. If you will run over the number of statistics of the suicides in this country, you will find that it consists very largely of emigrants, or the people who have emigrated to this country and have remained here two, three, or four years and fail of success. The foreigner is much more easily depressed; he has no home surroundings and he becomes more despondent than he would were he still in the country of his nativity, and therefore he commits suicide more readily.

Time will not admit of discussing this subject as it deserves. It must, however, be discussed from its mental, its physical, and from its moral standpoint, and from the conditions surrounding suicides which even Mr. Buckle did not regard. According to Mr. Buckle the average of suicides, within ten years, seems to vary very little, and what is more wonderful yet, is the fact that the number of weapons, the number of methods in which the suicide takes his life remains the same. I do not know that any one except Mr. Buckle has followed the statistics on which he bases his opinion.

I feel, however, inclined to say that the number of sui-

cides of late have vastly increased,—that the suicides are not all recruited from the lowly nor from the poorest stations of life. We have had a Rothschild commit suicide, and lately had instances in this country, of the sons of men who occupied high financial and social positions in this world,—so that there is some strange motor behind these acts of self destruction, and the man who undertakes to study this subject has a vast field before him. Taking the ground work which has been so ably covered by our friend, I think we will be able, most probably at some future meeting to have a paper in which this discussion is more fully entered into in its physical aspect.

Pres. Clark Bell.—I think great lessons are to be learned from statistics, and in a paper which I read before this Society some years ago, entitled “Suicide and Legislation,” I attempted to show the value of statistics upon these questions. We should not allow anything to be quoted as statistics, which is not fully, however, and properly entitled to be regarded as such. The death rate of every city is kept and published every week. The vital statistician keeps the numeration of it throughout all counties. The United States census of 1880 was the only basis I had then to go upon for the United States of America, and the French, Italian and English writers, who gave authoritative tables, such as Brierre de Boismont, Morselli and others. Dr. Nagle has given valuable information on the subject each year, so far as the City of New York goes, and the statistics of each county throw

the clearest possible light upon the problems surrounding the question.

The old Greek and the pagan philosophers held, that any man had the lawful, moral, and the inherent right to take his own life; first, in defence of his honor or that of his family; second, to prevent thereby great scandal or disgrace coming upon him, or those whom he loved; and third, whenever life ceased to be worth the candle, when it was no longer desirable, as for example a man afflicted by an incurable disease,—leprosy—anything that might make life such a burden to himself and friends as to make it undesirable to retain it.

Among the ancients, it was regarded as noble for the great soldier, when defeated, to fall on his sword rather than be taken into captivity. In more modern times laws have forbidden and punished suicide, as does our penal statute, but these laws do not serve to diminish suicide, as statistics demonstrate, to which allusions have been made by Dr. Grant and the Modern writers, of which, perhaps, the greatest of all living is Morselli, whose recent contributions to this subject have been far the ablest of the present century, give great light upon this singularly interesting subject.

I consider that the paper of the evening suggests some subjects of medico-legal interest, where attempted suicide is involved, in mental disturbances, as to how far insane persons, or persons afflicted with unsound minds can be held responsible for murder, or for any other crime committed, or attempted on themselves or others.

The question of peculiar interest is that question of Medico-Legal significance, which has arisen particularly in cases of life insurances, and sometimes in determining whether death is due to other causes than suicide. A man's life is insured, as in the celebrated case of Dwight at Binghampton, N. Y., which excited the attention of the whole legal and medical world, as well as the life insurance companies, it has been tried in the courts, and we now hear has been recently compromised. There is a very interesting case on the *tapis* in Norwich, Conn.; that of Tyler. I think of one occurring recently in France, the report of which was made by Brouardel, the great French chemist, who examined the body to see whether the remains found in a ditch were that of a suicide or of one who had been murdered; whether that body, from the appearance it presented in the cadaver, was alive and drowned, or whether death had occurred before the body was put into the ditch. I have in my mind an actual number of cases presenting interesting questions—the celebrated case in Connecticut, spoken of as the Malley case, of which Prof. Chittenden made the analysis, and contributed a paper to this Society. The question which frequently arises of a Medico-Legal character is, whether a given case is suicide or not, whether it is due to natural causes or of poison or other unnatural causes. This aspect of the case is very important in speaking of the penal aspect of suicide. It is due to communities that these questions should be investigated by the coroners or proper officials.

I think Mr. Whiton's paper on this subject is a valuable contribution indeed. I shall invite him to close the discussion of this very interesting question, for the present, and to discuss it in a wider sense at some future date.

Mr. Whiton.—There are a few thoughts, gentlemen, which I would like to suggest, in addition to those that have been suggested by my paper and its discussion. Some references have been made to the increase of suicides in Germany, and it has also been suggested that suicides have increased in all parts of the world. It is a very remarkable fact that the number of suicides to-day, is greatly in excess of those of ten years ago, and still more so of those of thirty and forty years ago. Another curious fact has been shown in regard to suicides. The tendency of life insurance decisions is to hold that nearly all suicides are the results of mental aberration, while the man was not cognizant of the crime he was committing, and if the judges have not so held, the juries have nearly always so decided against the insurance companies. A great many insurance companies are striking out all reference to suicide from their policies and applications, while on the other hand, others, in order to protect themselves, are making their policies stronger, by stating that they will not pay the same in case of suicide, whether sane or insane, and such a contract has been held by the courts to be valid. In the companies that have stricken out of their policies all reference to suicide, the number of their poli-

cies has increased, thereby showing inferentially that men have deliberately obtained life insurance policies, in order to defraud the companies. Notice the Dwight case, also that of Tyler, who died last fall in the town of Norwalk, whose body my friend Dr. Burke, now here, was the first one to see after death. Here was a man that within the space of six months applied for an aggregate sum of \$400,000 of insurance on his life. He was a man of magnificent physique, six feet tall, forty-two years of age, and belonged to one of the most aristocratic families in Boston; a man, who in the last fifteen years had spent a good sized fortune in money furnished by his mother. A man of the world, a schemer, and a man who was always about with men of doubtful character, a man of no moral stamina, who did not hesitate at any act to get money; who associated himself with men who had been or ought to be in States prison. This man finds himself stranded, in his appeals to his family for money; he fails in his appeal to his brother; he then announces his intention to place a large amount on his life and kill himself. He offers policies to his friends and goes to one and tells him that he is going to do this, and that if he will permit him, that he will place a \$10,000 policy to his credit. His friend, notwithstanding the fact that he was under indictment for one crime, hesitated. He placed these policies with the avowed intention of leaving the "boys" happy, as his so-called creditors were termed—peculiar creditors if we look to the facts of the

case, for these creditors, with one or two exceptions were supported by this same Jack Tyler.

So he placed in the month of December \$100,000 on his life, and in the months of April, May, June, 1886, he again placed another \$100,000 upon his life; for the payment of the premiums on which, strange to relate, the so-called creditors had been supplying him with money. In the applications for these policies he stated that he had not more than \$5,000 or \$10,000 on his life.

The Citizens' Mutual, a Company which I represent, had two parties, one of whom was not a beneficiary, rush to the Company to pay the premium upon the policy of their friend Jack, only four days before he committed suicide. When it was learned that his premium was in arrears Tyler come into the Company at once and made a warranty of health, although at that moment he was suffering with an acute attack of neuralgia. He then wrote a letter to his dear mother, as he begins it, telling her it was his deliberate purpose to take his life. He then goes down to Philadelphia and communicates with a friend, that he intends to take his life there under the name of Allen. Goes to South Norwalk and telegraphs to a friend under the same name; and is found in the morning dead. He left a memorandum on his table, but I believe that the memorandum of a man under the influence of morphine is as reliable as that of a chronic liar. There was convincing evidence that he took an overdose of morphine.

The majority of the companies are defending their

cases upon various grounds. Not only on this ground alone is payment of the policy refused, but the insurance companies expect to prove the charge of conspiracy.

Now, in regard to suicide, in its relation to Protestantism and Roman Catholicism, I do not think that question has anything to do with it. There is a belt of country where suicides are more apt to be committed ; more especially in 45 to 55 degrees north latitude. It seems to be that belt of country where the temperature of the world is about such as it is in New York, within the isothermal line. Dr. O'Dea in his interesting work has sought to account for the fact of the great number of suicides occurring in this belt, by the theory that it is a line of the greatest nervous activity. In warmer climes there is very little of the nervous vigor that there is in the North. Among the class that exercise, that have nervous vigor, suicides principally occur. Now it is undoubtedly true that suicides increase as morality decreases; I will not draw the deduction that immorality is apparently increasing. At the time of the French Revolution there was a wild epidemic of suicides; some now are discussing whether to-day we are not approaching a like reign of terror as in France unless the questions which are convulsing the world are settled and solved in some satisfactory way. It is undoubtedly true that a great cause is as suggested by my friend Mr. Ellinger, the fact of emigrants coming here, growing desperate and taking their lives. Now in regard to the penal statute—a word ; that has been attacked to-night on the ground that it draws no distinction between

an insane man and a sane man ! if a man is insane at the time he is not punishable.

That distinction has been drawn from time immemorial, and at the same time the consensus of opinion to-day is that a man should be punished for attempting the crime of suicide, if he be sane, whether he have a motive that is sufficient in the eyes of many moralists in this world or not.

Now, in regard to the prevention of suicide. Penal legislation has very little effect, but I won't admit for one moment that fear of the temporal church will deter a man from the act, but I claim that the cultivation of moral views will do much to counteract the epidemic of suicide.

JUNE SESSION.

PRESIDENT CLARK BELL, Esq., IN THE CHAIR.

JUNE 8, 1886.—President Clark Bell in the Chair. Regular meeting of the Medico-Society at Hotel Buckingham. Minutes of the May meeting were read and approved.

The following persons, proposed by Clark Bell, Esq., were elected on recommendation of the Executive Committee.

Active Members.

WM. J. BEST, Esq., of N. Y., Dr. ELIZA M. MOSHER, Dr. LUCY. M. HALL of Brooklyn, Col. ROBERT G. INGERSOLL, and Dr. J. V. Stanton, of N. Y.

Corresponding Members.

CHAS. W. MOORE, M. D., San Francisco, Cal.

Dr. GUGLIO CHIARUGI, Member of the Institute of Anatomy, Siena, Italy.

ENRICO TORRINI, Siena, Italy.

W. H. S. BELL, Esq., Editor Cape Law Journal, Grahamstown, Cape Good Hope, South Africa.

EDWARD NETTERVILLE BLAKE, Esq., Editor Irish Law Times, Dublin Ireland.

JOHN KINMOT, President Scots Law Society, Edinburgh, Scotland.

Dr. CHAS. F. STILLMAN, proposed as active member.

Dr. GEO. D. CLIFT, of N. Y.

Proposed by Dr. ISAAC LEWIS PEET, Dr. STEPHEN CUTTER, of N. Y. as an active member.

Proposed by Dr. F. C. VALENTINE as corresponding member, Dr. JOSE MONTEROS, of Monteros, Guatemala.

The first paper of the evening entitled "*The Mental and Physical Capacity of Man in the Rapid Expression. Receiving and Recording of Language*," by R. S. GUERNSY, Esq., of N. Y.

The paper was read at the author's request by CLARK BELL, who called Ex-President JACOB F. MILLER, to the chair.

The paper was discussed by Dr. ISAAC LEWIS PEET, DR. WM. F. HOLCOMBE, Judge J. BURDETTE HYATT, President BELL, C. W. TYSON, Esq., of the reportorial staff of the New York Tribune, Dr. FRANK L. INGRAM, Mr. ALBERT BACH and others.

Dr. IRA RUSSELL of Winchenden, Mass., read a paper entitled *Opium Inebriety*, which was discussed by Drs. CHARLES FRISBIE, Dr. FRANK L. INGRAM, JACOB F. MILLER, Esq., and others.

The announcement of the inauguration of the statue to Guislain by the Society of Mental Medicine of Belgium in July next and an invitation to be represented by this society was read.

Mr. CLARK BELL was chosen delegate and authority given him as President to designate others of our active or corresponding members or others to represent the society on the occasion.

President Bell announced that Elliott F. Shepard, Esq., had contributed \$100 to the fund for a prize essay on a Medico-Legal subject, but the programme would not be completed by the Executive Committee in time for the June issue of the Journal, but would be announced later.

The Society adjourned.

ALBERT BACH,
Secretary.

A regular meeting of the Medico-Legal Society was held Wednesday, September 14, 1887, at the Hotel Buckingham.

President Clark Bell in the chair

The minutes of the June, 1887, meeting, were read and approved as read.

On motion duly made and carried, the following gen-

tlemen recommended by the Executive Committee, and proposed by President Clark Bell were duly elected active and corresponding members respectively—

Active Members.

Dr. JOHN E. ALLEN, of New York City.

Rev. WILLIAM TUCKER, D.D., Mt. Gilead, Ohio.

JOHN S. BUTLER, M.D., Hartford, Conn.

Corresponding Members.

SCOTT HELM, M.D., Secretary Medico-Legal Society of Chicago.

EDWARD J. DOERNING, M.D., President Chicago Medico-Legal Society.

A. K. STEELE, M.D., Chicago. Ex-President Medico-Legal Society of Chicago.

EMILE HOURTELOUP, Avocat., President Medico-Legal Society of France.

Dr. FALRET, Supt. Asile de la Salpetriere, Paris.

Dr. V. MAGNAN, Asile de St. Anne, Paris.

Prof. Dr. LEFEBVRE, Brussels, Belgium.

Dr. VERMELULEN, Asile pour femmes, Ghent, Belgium.

The papers of the evening were read, viz.:

“The relation of Intemperance to Insanity.” By CLARK BELL, Esq.

“The Imbibition of Poisons.” By PROF. JOHN J. REESE.

The papers were discussed.

President Bell announced the death of Dr. Augustin Andrade of Mexico, and paid a tribute to the distinguished services of this corresponding member.

PRESIDENT BELL also announced the death of Judge Guy H. McMASTER of Bath, N. Y. Judge McMaster was at the time of his death Surrogate of Steuben County. President Bell spoke feelingly of the life and character of his former partner and business associate. He said : Judge Guy Humphrey McMaster, of Bath, Steuben County, New York, was born January 31, 1829, at Clyde, New York, and was the elder son of Hon. David McMaster, ex-Judge of Steuben County. He graduated at Hamilton College at the early age of eighteen years, in the same class with Senator Joseph R. Hawley Charles Dudley Warner of Connecticut, and Col. Emmons Clark of this city.

He was tutor at Franklin Academy, Prattsburgh, New York, and the editor of the Medico-Legal Journal was in his Latin Class and class in Geometry. Admitted to the bar in 1852, he shortly became junior member of the firm of Campbell & McMaster, and when Gov. Campbell retired formed a law partnership with myself as "McMaster & Bell," which continued some years at Bath, New York.

In 1863 he was elected Judge and Surrogate of Steuben County, an office which he held for twenty years. When the Surrogate and Judgeship were separated he was elected Surrogate, and held that office to the day of his death.

Judge McMaster was held in high estimation in Western New York and none stood higher in public estimation. He was in the front rank, of the bar of the Seventh District.

For many years he has been a corresponding member of this society, and took a profound interest in its success, and in medical jurisprudence generally. A true friend, an honest and conscientious man, his death comes upon me like a blow, and I feel sure it will fall as heavily on many hearts who have known and loved him in Steuben County. Aside from his legal, literary and scholastic attainments, Judge McMaster was a thorough student and lover of music and an excellent musician, and, he was regarded by competent critics as a poet of no ordinary ability. We cannot speak here in detail of his varied poetic effusions, save to say that his *CARMEN BELlicosum* has that ring which will be and ever has been recognized as the soul of poetry. I trust that I may be excused, as I stand at the open grave of the friend of my whole life, filled with profound emotion at a loss, which to me seems irreparable, if I drop upon his bier (as he died but yesterday) that song on which fame will award him the high tribute of inspired verse, his

CARMEN BELlicosum.

GUY H. MC MASTER.

<p>In their ragged regimentals Stood the old Continentals, Yielding not, While the grenadiers were lunging, And like hail fell the plunging Cannon-shot; When the files Of the isles, From the smoky night-encampment, bore the banner of the rampant Unicorn; And grummer, grummer, grummer rolled the roll of the drummer, Through the morn !</p>	<p>Then with eyes to the front, all, And with guns horizontal, Stood our sires; While the balls whistled deadly And in streams flashing redly Blazed the fires; As the roar On the shore Swept the strong battle-breakers o'er the green sodded acres Of the plain; And louder, louder, louder cracked the black gunpowder, Cracking amain!</p>
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Now like Smiths at their forges	Then the bare-headed Colonel
Worked the red St. George's	Galloped through the white infer-
Cannoneers;	Powder-cloud; [nal
And the villainous saltpeter	And his broadsword was swinging,
Rang a fierce, discordant metre	Aud his brazen throat was ringing
Round our ears,	Trumpet-loud;
As the swift	Then the blue
Storm-drift,	Bullets flew,
With hot sweeping anger, came the	And the trooper-jackets redden at the
horse guards' clangor	touch of the leaden
On our flanks.	Rifle-breath;
Then higher, higher, higher, burned the	And rounder, rounder, rounder, roared
old-fashioned fire	the iron six-pounder,
Through the ranks!	Hurling death!

On motion the Society adjourned.

ALBERT BACH, *Secretary*.

BRITISH MEDICO-PSYCHOLOGICAL ASSOCIATION.—The July meeting was held in London on Wednesday, July 28th, 1887.

Dr. Raynor, the Retiring President, in the chair. After the routine business, the President-elect, Dr. Needham, was introduced, who gave as his inaugural address a very able paper reviewing and assailing the pending Lunacy Bill as favored by the Government in several respects, but especially as to the proposed changes requiring a judge or magistrate's order preliminary to commitments.

The paper was received with great favor by the meeting which was largely attended by some of the more prominent of the English and Scotch alienists.

DR. HENRY MAUDSLY spoke eloquently and with much feeling, assailing what he regarded as objectionable features of proposed changes in the English Lunacy Statutes,

particularizing the section regarding commitments on judges' orders, and the proposed legislation as a whole was characterized as a "lawyer's bill."

Other members spoke who held similar views.

MR. CLARK BELL, President of the Medico-Legal Society of New York, was present by invitation, and on being called upon to speak, defended some of the features of the Bill proposed by the ministry, and particularly those sections which President Needham and Dr. Maudsly had so vigorously assailed.

He cited the working of similar clauses in the laws of many of the American States, and thought such changes would be found to work well in practical use, if adopted in England.

He praised the present English Lunacy Statutes taken as a whole, especially in contrast with those of New York and many American States, and cautioned Englishmen of the danger of injury to their present admirable system, by hastily or carelessly adopting changes, which he thought would be as likely to imperil real and essential ground, now secure under English law, such as supervision by a Board of Lunacy Commissioners, with ample powers, thorough supervision and personal inspection of Insane by officials with power to redress injuries and prevent and reform abuses, which we hoped to secure in America.

He gave a brief resume of the successful amendments secured in Pennsylvania and the commendable course of ex-Governor Hoyt in effecting this result.

The meeting elected DR. CLOUSTON as its President-elect to succeed Dr. Needham next year.

The session was followed by the annual banquet at the "SHIP" at GREEWICH, where the *menu* was that made famous as the "white bait" dinner, given usually at the English Ministerial Banquet.

There was a large attendance. Mr. Bell was present at this banquet and spoke. The affair was a very enjoyable as well as a most interesting occasion.

EDITORIAL.

DEFINITIONS OF INSANITY—TESTS OF RESPONSIBILITY FOR INSANE.—We continue the publication of our replies, to the interrogatories received from Alienists, Publicists and others, to the subjoined letter, and some of the definitions we have collected otherwise, and would be glad to receive answers from our readers or others who take an interest in the subject to the subjoined queries. We report the queries :

MEDICO-LEGAL JOURNAL ASSOCIATION,
Office of the Editor,
No. 57 Broadway,
NEW YORK, 1887.

DEAR SIR :

Please give me your idea of the best definition of insanity under our present knowledge of that subject.

Also what in your judgment should be the legal test of criminal responsibility for acts committed by persons suffering from any form of mental disease. I am making a study of these topics, and would feel greatly obliged for your views.

Very faithfully yours,

CLARK BELL.

T. D. CROTHERS, M. D., writes :

“The best definition of Insanity is: that it is a disease of the brain, manifest by disorder of the mind.”

“The best legal test of criminal responsibility, is his knowledge of right and wrong, and capacity to adopt himself to these facts. This can only be ascertained by an exhaustive study of the man, his conduct and thoughts and life work.”

A. F. KEENER, A. M., M. D., writes :

To your first question I would answer.

“Derangement of the intellect, the mind or the understanding.”

To the second question, "I would not be able to answer in general terms. *Each case* must be decided on its merits—a thousand things, almost, might be suggested, yet each case must be decided for itself. It is often a difficult problem, even with the case and all the facts at hand."

J. D. ROBERTS, M. D.:

"The question in cases of alleged insanity should be: was the action the result of a brain—diseased in such a manner as to interfere with function? Or as it has been stated. How has *disease* distorted the normal relationship of the man to the crime and surroundings."

J. A. WRIGHT, M. D., Supt. N. W. Ohio Hospital for Insane:

"I trust you will hold me excused for not sending you a satisfactory definition of Insanity. There are so many definitions by such a multitude of alienists that the student of mental science cannot fail to be confused in attempting to make a satisfactory selection. Your other query admits of a better answer. I hold that no deed is criminal if the individual who perpetrates it is incapable of controlling his own conduct, unless the power of self-control has been lost through his own fault."

DR. FRED. H. WINES, Secretary of Illinois State Board of Charities, writes as follows:

I have never seen a satisfactory definition of insanity, and do not believe that there is one in existence. It is a physical disease, and its seat is the brain, but except where its ravages are revealed by dissection and microscopic examination after death, its nature is unknown. The theory that lesions always exist appears to be, like the molecular theory, a matter of inference and imagination. There certainly appears to be such a thing as purely functional derangement of the brain. Practically, we know insanity by its manifestations, and it is impossible to catalogue these or include them all under any one category or series of categories, in such a way as to exclude similar manifestations noted in people who are undoubtedly sane. Some of the external symptoms of madness are physical, others psychical. Much stress is laid by alienists on the alteration of character and conduct noticeable in the individual; he is not what he was, and he usually frames some extravagant theory, unsupported by facts, to account for the change of which he is conscious, but whose real nature is unintelligible to him. There is no absolute test of insanity in doubtful cases, and, that being true, there can be no absolute test of criminal responsibility. We *guess* and act according to the best judgment that we can form. But I do not hold to the old test, laid down by the English judges, that if a man knows the difference between right and wrong, and knows that the act committed by him

is wrong, at the moment when he commits it, he is of necessity responsible to the law. I believe that a man may know that he is committing a wrong, and be driven to it by an irresistible impulse, arising from mental derangement. All depends on what we mean by "wrong" and by "irresistible;" and these are terms concerning which no end of metaphysical hair-splitting may be indulged in.

Unsatisfactory, I know, this must be to you, as it is to me. But I hope that you may be able to teach me better.

JOAQUIN G. LEBREDO, M. D., Havana, Cuba. Corresponding Member of the Medico-Legal Society of New York, writes us a pleasant letter from which the following extracts are made, translated by our worthy member and associate editor, DR. A. M. FERNANDEZ :

If I were to follow my best inspirations my answer would be very simple. I would say the problem is impossible to solve, as far as the first question is concerned, if the answer is to fulfill all the requirements of a good definition. In regard to the question of the legal test of criminal responsibility of the insane, I would say that it is very difficult, if not impossible, to fix the circumstances necessary to determine in each and every case that criminal responsibility. I form such a discouraging opinion because among the many reasons that could be brought to support it, there are, in my estimation, three principal ones :

1st. That etymologically or ideologically speaking, the word *insanity* is a *negative abstraction*, and, with every negative term, it is impossible to realize its true significance because we do not possess that exact and definite knowledge of the objective reality which we can represent by any positive terms. Besides, it is evident and in conformity with what I have before said, that in order to define *insanity* it is indispensable to know thoroughly what *sanity* is, and I fancy it is not necessary to make great efforts to demonstrate that in spite of the immense progress realized in the organic and functional study of the nervous system, and especially of the cerebrum, we are yet far, very far from being able to fix and determine—inside the physiological limits—what constitutes psychical life and the essentially fundamental characteristics of sanity.

2d. This to a certain extent is comprehended in the first reason, and is founded in the impossibility of drawing a line between sanity and insanity, thus giving rise to the fact that though it is very easy to differentiate those two states of the mind when manifested by their most marked characteristics, it is extremely difficult and sometimes impossible to distinguish each, when both touch that mobile and vague zone that separates them.

3d. This reason is based on the extensive generalization which is indis-

pensible to a true understanding of the word insanity or its correlative sanity. It is not enough to define them in relation to that group of individuals who act inside the limits of a normal psychical evolution, or to those who more or less approximate that standard; it is necessary that the definition should reach all beings capable of reasoning, no matter to what degree of accuracy—from the lowest in the scale of civilization to the highest—and to be able to adapt it to the biological medium in general, and more especially to the sociological order in which each group realizes its respective psychological evolution.

Your second question is intimately allied to the considerations I have just expressed, and more particularly to the last one, for it is necessary to have a profound and detailed knowledge of many and very divers factors, among which it is an important one, the special legislation attached to every sociological group in its respective evolution; hence the logic of the conclusion arrived at is, that great obstacles have to be encountered in attempting to fix what the legal proof of the responsibility of the insane is to be.

Having established these premises, it will be easy for you, my eminent colleague, to form an idea of how far it must have been from my mind—putting aside the convictions I have of the weakness of my intellectual forces and the scarcity of my scientific resources—the presumption of finding and giving to you a proper solution respecting the questions you have had the kindness to submit to my judgment. As I am, however, intimately persuaded that in addressing me your communication, the ideas involved in the foregoing lines, did not escape your learned mind and, besides, as I am satisfied that the study of the subject once made by you to which your communication refers, will be highly beneficial and interesting, both in a scientific and a practical point of view, and certainly without the deficiencies and obscurities and even errors that my expressions perhaps contain, I therefore have dared formulate my opinion on those questions you put me in the following manner, based on the ideas already given:

“Sanity of mind is that physiological state of the cerebrum that determines every rational being, individually or collectively considered, its conscientious and unconscientious psychical functions, and of the acts performed thereby, in which general manifestations the natural biological laws and the psychical character of each social group are revealed.”

Insanity, therefore, is the partial or total deviation, constant or periodical, as revealed in one or several ways, the individual being absolutely or relatively unconscious of it. We ignore the organic lesions in which it originates, and only judge by the psychical acts to which they give external evidence.”

And consequen'tly the *criminal responsibility of the insane* will be originated

from the moment it was clearly demonstrated there was not unconsciousness of the criminality of the act, or that having existed consciousness there was no false appreciation of the motive that impelled the individual to commit the act, nor had he an evident aberration in the conception of the idea or in the ratiocination which followed it. The grave and minute study, particularly from the psychical point of view, of all the circumstances, without forgetting heredity, which led to the act committed or attempted, the absence in some cases of logical relation between the act and its motive, the knowledge of the legislation of the social group to which it belongs—all these facts furnish, when put together, the justifiable elements of the legal construction whether there was or not unconsciousness, false appreciation of the motive, or aberration of mind which are the fundamental basis of irresponsibility.”

Any way, my respected confrère, whatever be your opinion of the ideas manifested in these lines, please do not look upon them but as evidence of my desire to comply with your request, and once more please accept my high estimation of you, and remain, sir.

MRS. M. E. BERRY, Secretary of the Society for Ameliorating the condition of the Insane, replies as follows :

“I consider myself honored by your request for my opinions on these points, but I must confess that in the present state of knowledge regarding insanity, I find it difficult to give adequate replies to your questions.

Insanity cannot be so defined by any one set of words as to apply to all the insane. Simply, it is a state of mental unsoundness. Any definition beyond that must enter into a realm of technicalities in which even our foremost alienists find different definitions.

As to criminal responsibility of the insane, I do not believe it possible to find a basis for any legal test which will serve for all cases. Every person's brain and individuality differs from the brain and individuality of every other human being, and each must be adjudged by its own nature and individual necessities.

Segregation of the insane should be the pivot on which should rest all treatment of the insane. The prognosis, diagnosis, medical and general treatment, penal vicissitudes, responsibilities, and varying conditions of mental sufferers, all rest on individualities that require careful discriminations by those in charge of these diseased persons.

I am not sure but all criminals are more or less insane, especially all who have had good Christian training, and have been taught good from evil. They first become mentally and morally diseased, and then crime naturally follows. Whether such criminals are responsible or not, they must be kept

in such custody as will insure the safety of others, but no vindictive suffering should be inflicted on them.

When physicians in general practice take up this subject, and lift it out of the narrow sphere of a few interested experts, we may hope for more light on this important question.

AN EX-GOVERNOR of Massachusetts, whom we also regard as one of the *ablest of the criminal lawyers of the American Bar*, gives us the following reply, but does not give us permission to publish his name :

BOSTON, December 20, 1886.

MY DEAR MR. BELL :—One cannot, in going over a large mail to answer the current letters of the day, make a proper answer to questions of such involution as you say you are making a study of. If there is one thing more perilous than another it is a definition, but I will comply with your request upon the pledge that my definitions are not to be published as mine.

Let me premise : I do not like the term "insanity," because that means only unhealthy, unsound. Now, a man's mental condition may be perfectly healthy and yet be what is termed insane, and not responsible for his acts. One would not say that a machine was unsound when it worked perfectly, because it had been set running the wrong way. Therefore, I prefer, as a generic term, a very old and unphilosophical one, because it proceeds from the popular superstition or belief that that condition of mind has been brought on by the influence of the moon (and there again I think those minds that believe so are set running the wrong way, but I should not say that they were unsound), the word *lunatic*. By that term I should describe one, the operations of whose mind cause convictions or beliefs upon which a person honestly acts of either his moral, mental or physical state which are opposed to well-known laws accepted and made the foundation of action of the whole community in which the individual lives.

As to the second question, I should say one was not criminally responsible for any acts done when he fairly believes that it is an act which ought to be done, unless the state of mind which governs his action has been induced by his own immediate and voluntary act when his mind is in a normal condition, which brings him into that mental condition. To explain the latter part of this definition, I will take, for example, drunkenness. Where a man commits a crime while drunk, it is for the safety of the community that he should be held guilty, because of the *causa causans*, which is his own act; but not when he is in a state of delirium tremens, which is a secondary stage of drunkenness. He has then passed any possible condition of responsibility. I could illustrate this definition with very many cases, but your learning will easily supply them. I will only give you one covering the first part of the proposition. Freeman, who lived on Cape Cod,

was an exemplary, light-minded husband, father and citizen, doing everything that was proper in such relations. But intense study of Genesis and the New Testament had so affected his mind that he honestly and actually believed that it was his duty to sacrifice his best beloved son to God, as Abraham was about to do with Isaac, believing that if it was not his duty so to do, God would interfere with the act, or resurrect the child on the third day. He did the act and waited with impatience for the third day. He was found not guilty by reason of insanity. But his mind was sound enough and healthy enough though he was a lunatic within my definition.

LORD HARDWICKE :

“There are various degrees of weakness and strength of mind from various causes. There may be a weakness of mind that may render a man incapable of governing himself from violence of passion, and from vice and extravagances, and yet not sufficient under the rule of law and the constitution of this country to direct a commission.”

(Banseley (*ex parte*), 3 Atk., 168.)

In Lord Donegal's case LORD HARDWICKE said :

“An idiot was such as was so *ex nativitate*, and therefore the court of common law held, that finding a man an idiot for so many years past was good ; for finding him idiot was including that he was such from his nativity, and the rest was mere surplusage.”

“Lunacy is a distemper occasioned either by disorders or accidents ; and to one of these two cases were commissions at first confined, but in some time the part of the prerogative was enlarged and extended to one who is *non compos mentis* ; but here it stopped, and this, at least, this court insists must be found to entitle any one to a commission.”

(Lord Donegal's Case, 2 Ves., Sr., 407.)

CHANCELLOR KENT :

In the leading case of RIDGWAY vs. DARWIN, Chancellor Kent construed this branch of the law as follows :

“It is evident that ——— (the subject of this inquiry) is not a lunatic within the legal meaning of the term. He is not a person who sometimes has understanding and sometimes not. He is rather of that class of persons described by Lord Coke as ‘*non compos mentis*,’ who have lost their memory and understanding by sickness, grief, or other accident. The difficulty which has arisen with me is as to the extent of my jurisdiction. Mere imbecility of mind, not amounting to idiocy or lunacy, has not until very lately been considered in the English Court of Chancery as sufficient to interfere in the liberty of the subject over his person or property. I have

not met with a case prior to our revolution which has gone so far. Lord Hardwicke disclaimed any jurisdiction over the case of mere weakness of mind ; yet it is certain that when a person becomes mentally disabled, from whatever cause the disability may arise, whether from sickness, vice, casualty or old age, he is equally a fit and necessary object of guardianship and protection. I should imperfectly discharge my trust if I crippled the jurisdiction of this court by confining it to the strict common law writ of lunacy."

(Ridgway vs. Darwin, 8 Vesey, 65.)

LORD COKE, in the case of BEVERLY, defined what he classified and called "the four manners of *non compos mentis*" as follows :

1. Idiot or fool.
2. He who was of good and sound memory, and by the visitation of God has lost it.
3. Lunatics, who have lucid intervals and sometimes is of good and sound memory and sometimes '*non compos mentis*.'
4. By his own act as a drunkard."

(Beverly Case, 4 Co., 124.)

SIR JOHN NICOL :

"It may be safely assumed that madness subsists in every variety of shape and degree. It subsists in the maniac chained to his floor. * * * In the patient afflicted with mental aberration on certain subjects, or on a certain subject only ; and in respect of such even, never betraying itself in violence or outrage. The affliction is the same in both cases ; in species, the difference is only in degree."

(Dew vs. Clark, 3 Add., 79-87.)

HENRY F. BUSWELL :

"The common law recognized four specific forms of insanity, namely: lunacy, idiocy, accidental loss of understanding, and deprivation of understanding by the subject's voluntary act."

(Buswell on Insanity.)

"The English and American courts, in a long series of decisions, established the rule, that the true criterion of the presence or absence of insanity in any case was the presence or absence of delusion in the mind of the subject." (Ibid., p. 16.)

This test is to be accepted as the correct one, except that "since the modern law includes in the term 'insanity' all forms of mental disease, however arising, as well as those included under the ancient definitions of

idiocy or dementia, as those falling within the technical definition of lunacy, it follows, that although formerly insanity was never held to be established in any case, when delusion had not at some time prevailed, there exists a class of cases in which delusion is not the criterion of the existence of insanity."

Such cases are those in which there has existed, *ex nativitate*, such general weakness of intellect as to render the subject unreasoning and irresponsible, and those in which the mind has become weakened and disorganized, either from the occurrence of disease or the gradual growth of senile dementia.

"In such cases the patient cannot be said properly to be the subject of delusion, since ordinarily he has not sufficient mental power to form any conceptions, true or false, of the relations and sequences of facts and circumstances."

(Buswell on Insanity, pp. 20, 21.)

"Mere beliefs, opinions or prejudices, unless these necessarily involve the existence in the mind of their subject of some delusion as to fact, are not evidence of insanity.

"The same rule is applied to opinions in relation to the *moral quality* of acts; that is to say, no perversion of the moral nature, or mere disorder of the moral affections and propensities, unless accompanied by such delusion as indicates the subversion of the will and reason, is to be regarded as constituting insanity in law."

(Buswell on Insanity, p. 13, §10.)

"The following rules may be laid down as applied by the law of the present day in defining legal insanity:

1. The words 'lunatic,' 'insane' and '*non compos mentis*' are generally convertible and generic terms, and include all the specific forms of mental disease recognized by the text writers and medical authorities. And he is insane, lunatic or *non compos mentis* whose mind is affected by general fatuity, or is subject to one or more specific delusions.

2. Insane delusions consists generally in such an hallucination or false conception in regard to facts or objects as cannot fairly be supposed to exist in a healthy mind, and of which the subject cannot be disabused by reason or argument.

3. When the issue is upon the abstract question of the party's sanity, as in proceedings to place his person and property, for protection, within the custody of the law, it must appear, in order to authorize such protection, that the party is, by reason of mental disease, unfit to be intrusted safely with the control of his person or property.

4. When the issue arises collaterally—that is, upon the determination of the quality of the party's civil act, as being valid or invalid, or of his unlawful act, as being innocent or criminal—the question is whether, by reasons

of mental disease, the party was unable to comprehend the nature of the act, its relations, effects and legal consequences."

(Buswell on Insanity, pp. 23, 24, §18.)

"In former times the law was inclined to regard the human mind as an integer, and to hold that if the subject were lunatic, he was alike incapable of performing civil acts, or of being affected with criminal responsibility. So that it was held, that in order to excuse his unlawful acts, the subject must be totally deprived of his understanding and his memory, and SIR MATTHEW HALE laid down the arbitrary rule, that one who had ordinarily such understanding as a child of fourteen years has, might be guilty of treason or felony. But the law of the present day recognizes the principle, that the capacity or responsibility of the subject, in respect of any act civil or criminal, is to be ascertained only by inquiring, whether by reason of the existence of mental disease, the doer of the act was unable reasonably to comprehend its nature, relations, effects and legal consequences." (Ibid ; Preface.)

"The delusions which indicate such insanity as will relieve its subject from criminal responsibility, must be such as relate to facts and objects, not mere wrong moral notions or impressions, and the aberration must be mental, not moral merely." (Ibid., p. 14, §11.)

MR. JUSTICE CURTIS:

"The law is not a medical or a metaphysical science. Its search is after those practical rules which may be administered without inhumanity, for the security of civil society, by protecting it from crime. And therefore it inquires not into the peculiar constitution of mind of the accused, or what weaknesses, or even disorder he was afflicted with, but solely whether he was capable of having, and did have, a criminal intent."

SUPREME COURT OF CONNECTICUT, HOSMER, C. J.:

"If a man be legally *compos mentis*, be he wise or unwise, he is the disposer of his property, and his will stands as a reason for his actions. * * * But it would demand great consideration before it should be affirmed, that the mere knowledge of the act a person is doing, which, for aught I can discover, may be asserted, of an idiot, would constitute him *compos mentis*. I think he must know something of the nature and consequences of the act. * * * It is a fact, universally known, that a person may be *non compos mentis* and yet possess great vigor of intellect and unusual power of reasoning. * * * His mind is unsound by reason of the delusive sources of thought. All his deductions within the scope of his malady being founded on the assumption of matters as realities, without any foun

dation, or so distorted, and disfigured by fancy as in effect to amount to the same thing."

(Hale vs. Hills, 8 Conn., 39 (1830).)

ALABAMA SUPREME COURT :

"We do not subscribe to the proposition that the term *non compos mentis* necessarily denotes a total deprivation or destruction of the intellectual powers. It denotes unsoundness of mind ; not mere mental weakness, but a diseased or unhealthy mind,"

(Carmichael *in re*, 36 Ala.; 514.)

MASSACHUSETTS STATUTE

Provides that the words "*insane person*," and "*lunatic*" shall include every idiot, *non compos*, lunatic, insane and distracted person.

(Pub. Stat. Mass., C. 3, §1, Cl. 10.)

CHIEF JUSTICE HORNBLOWER, of New Jersey, said, as to moral insanity in State vs. Spencer :

"I cannot yield to the doctrine, which has been suggested, founded upon what is called 'moral insanity,' that—

"Every man, however learned and intellectual, who, regardless of the laws of God and man, is guilty of murder or other high and disgraceful crime is most emphatically insane. Such doctrine would lead to the most pernicious consequences, and it would very soon come to be a question for the jury, *whether the enormity of the act was not in itself sufficient evidence of such insanity*, and then the more horrible the act the greater would be the evidence of such insanity."

(State vs. Spencer, 1 Zab., 196 (1846).)

CHIEF JUSTICE GIBSON, of Pennsylvania :

"There is a *moral* or *homicidal* insanity consisting of an irresistible inclination to kill. * * * The doctrine which recognizes this mania is dangerous in its relations, and can be recognized only in the clearest cases.

"It ought to be shown to have been habitual, or at least, to have evinced itself in more than a single instance. * * *

"If juries were to allow it as a general motive operating in cases of this character, its recognition would destroy social order, as well as personal safety."

(Commonwealth of Pa. vs. Mosler, 4 Penn. St., 266.)

WARD ISLAND INVESTIGATION. — The report of the Standing Committee of the State Board of Charities to the State Board, of the investigation into the management of the insane at Ward's Island, has been made, and we are indebted to Hon. Oscar Craig, Chairman, for a copy.

It condemns the general management of the institution by the Commissioners of Charities and Corrections.

It finds that the insane have been harshly and brutally treated by attendants, and condemns in strong terms the system, as it now exists, of employing attendants, and characterizes the attendants themselves as wholly unfit for the place and duty.

The fatalities in several institutions due to brutality of attendants is a crying evil and needs immediate public attention.

From our standpoint the Mayor should hold the Commissioners of Charities and Corrections responsible for the conduct of these attendants.

President Porter should take just the same interest in having the insane kindly treated that he would in having them well fed or clothed. It is said that he gives his whole time to this office. We venture to suggest that one hour a day be devoted by this official to reform of these terrible abuses.

An entirely different class of attendants should be employed. Better wages, if need be, paid to secure them. Kindness and gentleness, with a good character, should be the indispensable pre-requisite to employment.

This investigation has shown that in the year 1886 eighty attendants were dismissed for cause, of whom twenty-three were dismissed for intoxication, three for being intoxicated while on duty in the wards, and five for striking patients, while the discharges during the year, called honorable, embraced one-half of the whole staff of attendants.

How can we expect proper care of the patients of this institution under such a condition of things ?

DR. McDONALD is not to blame for this abuse, except, perhaps, in not more strenuously insisting upon its correction.

He does not select the attendants. He has only the power of dismissal, which he seems to have used very freely.

The Commissioners themselves are responsible, and the Mayor should insist upon a change, or obtain other Commissioners. This would secure the proper attendants.

The report calls attention to other grave abuses, but this is the crowning scandal of it all. Brutality of attendants seems to be the rule, not the exception, and until a complete revolution is made we may expect broken ribs and general scandals, of abuse of patients at Ward's Island.

It is not enough, as is usual, to blame and censure the doctors. They are not to blame. It is first the Commissioners, and if they neglect their duties it is then the Mayor and the Governor. The report says :

“The fair presumption is against the moral or personal fitness of bartenders to fill the responsible office of attendants of the insane, and that the proofs show that the majority who fill this responsible office are not only of questionable antecedents and character, but that many of them are decidedly rough and coarse or untrustworthy, if not positively bad.”

THE LONDON AND INTERNATIONAL CONGRESS OF INEBRIETY, held July 6, 1887, under the auspices of the London Society for the study and cure of Inebriety was a great success.

The President, DR. NORMAN KERR gave the opening address. That part of it referring to the MEDICO-LEGAL relations of Inebriety deserves a place in our columns, which want of present space forbids.

DR. CAMERON, M. P.—Gave an address, historical in character, of the movement in England and the DALRYMPLE Home at Rickmonsworth.

DR. T. D. CROTHERS gave an address on “Inebriety and Inebriate Hospitals in America.”

Papers were read before the Congress by :

DR. N. S. DAVIS, President International Congress of Chicago on “The Physical Aspect of Inebriety.”

By CLARK BELL, ESQ., of New York, on the relation of Intemperance to Insanity.

By DR. EDWARD MANN, of Brooklyn, on “The Pathology of Inebriety.”

By DR. LEWIS MASON, of Fort Hamilton, N. Y., on “The Relation which Disease has to Alcoholic Inebriety.”

CHEVALIER PROSKOWETY on “Inebriety in Austria.”

PROF. BINZ, on “German Law of Inebriety.”

REV. J. W. HORSLEY, on "Observations on Inebriety."

DR. PETITHAN, on "Legislation for Inebriety."

ABEL DICKSON, on "Asylums for Inebriates in London."

SURGEON MAJOR PRINGLE, M. D., on "Homicidal and Suicidal Inebriety."

DR. ALFRED CARPENTER, on "Meeting place of Vice and Disease."

DR. JOSEPH PANNISH, "Is there a climacteric period in Inebriety?"

DR. MOELLER, "Inebriety in Belgium."

REV. DR. DE COLLEVILLE, "Continental Legislation for Inebriates" an address by Dr. Wright of Bellefontane Ohio, and a Chairman's address by DR. B. WARD RICHARDSON.

There was a reception to DR. T. D. CROTHERS, editor of the *American Journal of Inebriety*, a grand banquet and a visit to the Dalrymple Home.

DR. A. MOTET has been elected General Secretary of the Medico-Legal Society of France, in the place of Dr. Th. Gallard, deceased.

This is an admirable selection. Dr. Motet has a large practical knowledge of the subject, and his studies peculiarly fit him for the position.

He is at the head of a leading private asylum in Paris, is an English as well as French scholar, which Dr. Gallard unfortunately was not. Dr. Motet takes a deep interest in the advance of Forensic Medicine in Foreign Countries, and we feel sure that the American and

French Societies will be on much more intimate relations, and be in closer accord than was possible under the secretaryship of Dr. Gallard, owing to his ignorance of the English language and to the fact that the English Literature of Medical Jurisprudence was substantially a sealed book to him.

THE INTERNATIONAL CONGRESS AT WASHINGTON.

Returning from a trip abroad in the English, French and Belgian Capitals, just as our current number goes to press, we look in American journals for a resume of the Washington International Congress, as to the sections or branches that would interest our readers.

We find that our enterprising confreres of Philadelphia, The Medical Register, who published a daily during the session, gives us very little light as to the work of the section on Psychology, and we find that there was no work at all upon Medical Jurisprudence or Forensic Medicine, *per se*.

The MEDICAL RECORD, which attempts to give a *resume* is so unsatisfactory, as to the section presided over by Dr. Andrews of the Buffalo, N. Y. State Asylum.

As we go to press, the most reliable *resume* we have seen is that of the London Lancet, of date of Sept. 10, 1887, which has been printed in London, and crossed the ocean to us on the 19th of September, from which we are enabled to give our readers an idea of the labors in Neurology and Psychology.

This is a singular, we may say remarkable commentary on the want of enterprise which characterizes

American Medical Publishers, and the splendid achievements in this field of our British Confreres. We learn that the following papers were read or contributed :

DR. JUDSON P. ANDREWS, "The Distribution and Care of the Insane in the United States."

DR. FIELDING BLANDFORD, of London, on "The Treatment of Insanity in the Private Houses and Asylums."

DR. HACK TUKE, "Modes of Providing for Insane and Idiots in United States and Great Britain," and on the "Rapprochement of American and British Alienists in Regard to the Employment of Mechanical Restraints."

DR. HENRY M. HURD, of Pontiac, Mich., "The Religious Delusions of the Insane."

PROFESSOR MENDEL, of Berlin, read a paper on "The Origin of the Upper Facial Nerve."

DR. E. A. HOMEER, of Helsingfors, Finland, "Histological Alterations following Amputation in the Peripheral Nerves, the Spinal Gangliæ and the Marrow."

DR. OTTO, a paper on "Nucleus Staining by Analine Dyes."

DR. J. LANGDON DOWN, of London, "Cases Illustrating the Prow-shaped Cranium with Neurotic Disease."

DR. GEO. H. SAVAGE, on "Syphilis in its Relations to Insanity."

DR. INGRAM, of Washington, D. C., on "Gunshot Wounds of Spinal Cord."

DR. DANIEL CLARK, of Toronto, Canada, on "Remissions and Intermissions in Insanity."

DR HORACE WARDNER, of Arma, Ill., on "Occupation for the Insane."

DR. BOWER, of Bedford, England, on "Occupation for Insane in Private Hospitals in England."

DR. THEO W. FISHER, "Monomania and its Modern Equivalent."

DR. WALTER CHANNING, of Brookline, Mass., read a paper entitled "The International Classification of Mental Disease." He also read a paper by DR. BANISTER, of Kankakee, Ill., entitled "Note on the Classification of Insanity."

DR. C. H. HUGHES, of St. Louis, a paper on "The True Nature and Definition of Insanity."

DR. W. L. SCHENCK, of Boise City, Kansas, read a paper entitled "The Relation of State Medicine to Medical Jurisprudence."

The Congress was the largest ever held, and the arrangements to entertain the delegates were very elaborate and successful. Large number of medical men from the West and South were in attendance, the whole number attending being stated to be nearly five thousand, though the absence of prominent members of the profession from New York, Boston, Philadelphia and the East generally was noticed, due to the unfortunate circumstances attending the preliminary arrangements of the Congress.

PRIZES FOR ESSAYS ON MEDICO-LEGAL SUBJECTS.

The MEDICO-LEGAL SOCIETY OF NEW YORK announces the following prizes for original essays on any subject

within the domain of medical jurisprudence or Forensic Medicine:

1. For the best essay—ONE HUNDRED DOLLARS, to be known as the ELLIOTT F. SHEPARD PRIZE.

2. For the second best essay—SEVENTY-FIVE DOLLARS.

3. For the third best essay—FIFTY DOLLARS

The prizes to be awarded by a commission, to be named by the President of the Society, which will be hereafter announced.

Competition will be limited to active, honorary and corresponding members of the Society at the time the award is made.

It is intended to make these prizes open to all students of Forensic Medicine throughout the world, as all competitors may apply for membership in the society, which now has active members in most of the American States, in Canada and in many foreign countries.

All details of the award will be determined by the Executive Committee of the Medico-Legal Society of New York.

The papers must be sent to the President of the Medico-Legal Society of New York, on or before April 1, 1888, or deposited in the Post Office, where the competitor resides on or before that day.

The name of the author of any paper will not be communicated to the Committee awarding the prizes.

All persons desiring to compete for these prizes will please forward their names and address to the President or Secretary of the Medico-Legal Society of New York.

In case the essay is written in a foreign tongue, it should be accompanied by a translation into the English language.

It is hoped that all our members, whether active, honorary or corresponding, will take an interest in this effort to stimulate scientific inquiry and research in questions relating to medical jurisprudence.

Scientific societies in all countries are invited to lay this announcement before their members, and the co-operation of the legal, medical and public press, is respectfully solicited in bringing the subject to public attention.

CLARK BELL, *President*,
57 Broadway, N. Y.

ALBERT BACH, *Secretary*,
140 Nassau St., N. Y.

MEDICO-LEGAL PAPERS, SERIES 4 AND 5.

The subscriptions already received, to continue the publication in volumes of the original papers read before the Medico-Legal Society of New York, besides those already published in volumes Nos. one, two and three, have already reached a sufficient number to warrant their publication. It is highly desired that the subscriptions should reach one hundred copies, aside from the one hundred copies subscribed for by the Medico-Legal Society, so as to fully indemnify the publishers who take charge of the publication.

It is proposed to issue Series or Volume 4 of Medico-Legal papers during the year 1878, and to follow it with

Series or Volume 5, as soon as practicable. The present list of subscribers are as follows :—

NOTE.—Members and others desiring to subscribe to this movement will please advise the editor of the JOURNAL, or any officer of the Society. The following is the subscription at the date of Septembrr 1st, 1887 :

MEDICO-LEGAL SOCIETY.

The undersigned hereby subscribe for and agree to take of the Medico-Legal Society, or its assigns, the number of copies of Medico-Legal Papers, Series 4 and 5, to the commencement of Medico-Legal Journal, at the price of \$3.50 per volume in cloth, or \$2.50 in paper, provided at least sixty copies are subscribed for.

Dated January, 1887.

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“ “ “	3	“ Paper
Mary Weeks Burnett, M. D.....	1	“ Cloth

The original papers, which will be included in these volumes, include articles by the following persons :—

Dr. C. R. Agnew,	D. S. Riddle, Esq.,
Dr. Geo. M. Beard,	Dr. Henry Raphael,
Dr. Wooster Beach,	Dr. Ed. Sanders,
Clark Bell, Esq.,	Dr. Graemme M. Hammond,
Dr. A. N. Bell,	Harry Hakes, Esq., M. D.,
Ernest H. Crosby, Esq.,	Prof. F. H. Hamilton,
D. C. Calvin, Esq.,	A. G. Hull, Esq.,
Geo. B. Corkhill, Esq.,	Dr. J. G. Johnson,
C. A. Doremus, M. D.,	Dr. A. O. Kellogg,
Wm. G. Davies, Esq.,	Ed. J. Loring, Esq.,
Prof. R. Ogden Doremus,	Dr. S. N. Leo,
Max F. Eller, Esq.,	Dr. Chas. A. Leale,
Dr. T. C. Finnell,	Dr. E. C. Mann,
Dr. Albert H. Gihon,	Dr. Edward Mead,
Dr. Wm. A. Hammond,	Dr. John T. Metcalf,
Dr. R. R. McIlvaine,	Appleton Morgan, Esq.,
Dr. Moreau Morris,	Jacob Shrady, Esq.,
Dr. J. J. O'Dea,	Dr. W. G. Stevenson,
Dr. R. J. O'Sullivan,	William Shrady, Esq.,
Prof. W. J. Owen,	Dr. E. C. Spi'ztko,
Dr. J. C. Peters,	Dr. J. Clark Thomas,
G. W. Palmer, Esq.,	Dr. S. Waterman,
O. H. Palmer, Esq.,	Dr. J. S. Wight,
Dr. R. L. Parsons,	Dr. R. Witthaus,
Dr. Stephen Rogers,	O. W. Wight, M. D.,
Dr. Frank Ramsay,	Dr. Chas. S. Wood,
H. S. Rokenbaugh, Esq.,	Geo. H. Yeaman, Esq.,
	And others.

The volume will contain about 500 to 550 pages, and will be embellished with portraits after the style of Series or Volume 3. The price will be in cloth \$3.50 and paper \$2.50.

All members of the Society, subscribers to the Journal, authors of papers, libraries and others who are willing to subscribe, will please notify the editor of this Journal of the number of copies they will take, and it is hoped that enough subscribers will be obtained at once to make at least one hundred.

A copy of this statement will be sent the authors of papers, who will be allowed to subscribe for additional copies at the reduced price, for all future subscriptions, of \$3.00 cloth and \$2.00 paper, if notice is at once sent the editor of this Journal or Mr. Albert Bach, Secretary at No. 146 Nassau Street.

VACATIONS ABROAD—It has been our good fortune to take our outing, the past summer upon the Atlantic ocean, and in foreign countries.

We were present by invitation, at the June meeting of the British Medico-Psychological Association, and took part in the debate, upon the criticisms made by eminent members of that body, upon the action of the Government in inserting a clause, in the proposed new lunacy statutes, requiring judicial sanction to the commitment of the insane.

We think American experience and opinion, in both professions, would be in favor of such action, and that

the fears entertained by British medical men, as to its work, would be wholly dispelled by a trial. We were the guest also of the same body at its annual banquet, given at the "Ship" at Greenwich, and tasted of most of the seventeen courses of fish that has made, "*the white bait dinner*" given at that celebrated hostelry, famous and world renowned.

Our thanks are especially due to Drs. D. Hack Tuke, Geo. H. Savage, H. Rayner, John Abercrombie, Vivian Poore, Henry Maudsley, Norman Kerr, Jabez Hogg, B. Ward Richardson, Mr. Ernest Hart, The Marquis de Leuville, Mr. Thomas Cave, M. P., Mr. Henry S. Welcome, Governor Waller, and others for entertainments, dinners and receptions that made, and serve to make London the most delightful capital in the world, to the foreign visitor.

We had a good look at Bethlem Hospital, and the large asylum at Hanwell under Dr. Rayner's charge, and was glad to meet Drs. Clouston, Urquhart and many others of the English and Scotch superintendents and alienists.

In Belgium, we visited, the Hospice Guislain at Ghent, in charge of Dr. Jules Morel, the splendid new asylum at Tournai, of which Dr. F. Lentz is superintendent, and the insane colony at Gheel, as well as the asylum there under Dr. Peeters, not forgetting the church and shrine of St. Dymphna.

We were the guest of Dr. Desguin in the lovely city of Antwerp, of Dr. Jules Morel in Ghent, of the Brothers of St. Vincent de Paul at Moll, as well as at Tournai, and

shall remember with heartfelt and unalloyed pleasure the warmth and kindness, of that charming hospitality, so characteristic of her citizens, which made our visit and stay in Belgium a delight.

We were very glad to assist at the July session of the Society of Mental Medicine, in the beautiful Belgian capital, and to take the hands of Prof. Lefebvre, Dr. Leon de Rode, Dr. Vermeulen, Prof. Heger and others.

The new Palais de Justice, is certainly the finest building of this kind, as we believe, in all the world, and is a credit to the taste and pride of the Belgian people.

We are under obligations to Monsieur Lentz of Brussels, of the Law Department of the Government, for attentions, and for copies of the Belgian statutes, relating to Lunacy and the reports, as to her insane asylums, and charitable institutions. We must not omit our obligations to the Brothers of St. Vincent de Paul, and especially the brother superior at Tournai and at Moll, to Brother Rudolph, and our friend and companion du voyage at Gheel, Brother Edouard, superior in charge at the Hospice Guislain.

It is these [men who have at the asylum at Tournai and Hospice Guislain, the whole charge and care of the insane, except in medical matters, and to whom in my opinion, so much is due for the excellent condition and morale of these institutions.

In Paris we were the guest of Prof. Ball, who invited several medical men and their wives to meet us at dinner with his charming family, of DR. MAGNAN at St.

Anne, with whom we breakfasted, of MOTET, who is the new Secretary-General of the French Medico-Legal Society, and of LUTAUD, who will come to America next year.

We visited SALPETRIERE and met DR. FALRET and saw his service, but our visit was unfortunate in date, as we missed Prof. Charcot, Dr. Christian of Charenton, Dr. Penard, Dr. Socquet, Dr. Ach Foville, Dr. Ritti, Dr. Grassi, Emile Hourteloup, the President of the French Medico-Legal Society, and several others, who were absent from Paris, on their vacation.

We know of no better or more enjoyable way, of spending a summer vacation, than to devote twenty days of it, to the healthful rest of an ocean voyage, and one or two weeks each to London, Paris, and the chief cities of Belgium. As "we should speak well of the bridge that carries us safe over," we are glad to mention in terms of high praise "THE GUION LINE," whose vessels, cuisine, courtesy of officers and general care of their passengers, are as we think, second to none upon the Atlantic ocean.

THE MEDICAL JURISPRUDENCE OF INEBRITY.

At the November meeting of the Medico-Legal Society the evening will be devoted to the discussion of this subject.

Short papers have been promised by Dr. Joseph Parrish of New Jersey, Dr. T. D. Crothers of Connecticut, Dr. Norman Kerr of London, Dr. Ed. C. Mann of Brooklyn, Dr. Wright of Bellefontaine, Ohio, and

several others have been invited and are expected to read short papers on the medical side, and prominent members on the legal side will take part in the discussion, which must excite interest in the society.

PERSONAL. Mr. Clark Bell has been elected an honorary member of the Medico-Legal Society of Chicago.

Dr. FIELDING BLANDFORD.—Mr. CLARK BELL entertained Dr. BLANDFORD, of London, at luncheon on the eve of his sailing for Europe. The following American alienists were invited to be present :

Dr. Pliny Earl, Massachusetts ; Dr. Henry P. Stearns, of Hartford Retreat ; Dr. C. H. Nichols, of Bloomington Asylum ; Dr. W. W. Godding, of Government Asylum, Washington ; Dr. Th. H. Kellogg, late of Ward's Island ; Dr. Walter Channing, of Brookline, Mass. ; Dr. Barstow, of Flushing Asylum ; Dr. A. E. Macdonald, of Ward's Island ; Dr. Burrall, of Canandaigua Asylum ; Dr. Geo. C. S. Choate, of Pleasantville Asylum ; Dr. Fordyce Barker, New York Academy of Medicine ; Dr. M. Allen Starr, of New York ; Dr. Ira Russell, of Winchendon, Mass. ; Dr. W. G. Stevenson, of Poughkeepsie ; Dr. Buttolph of New Jersey ; Dr. Joseph Parrish, of Burlington, N. J. Dr. BLANDFORD returned by the *Umbria*, and takes with him the warm wishes of his American admirers, who will remember his visit with pleasure.

MEDICO-LEGAL SOCIETY OF CHICAGO,

Medico-Legal Society of Chicago. Second annual meeting held June 4, 1887, in parlor forty-four Grand Pacific Hotel, President D. A. K. Steele presiding.

The minutes of the last meeting were read and approved.

The following gentlemen, upon recommendation of the Executive Committee, were unanimously elected to acting membership: Dr. Henry Gradle, Dr. C. D. Winscott, Dr. J. H. McDonald, Dr. J. E. Hooper and Dr. J. W. Eliles.

Dr. E. J. Doering gave notice, through the Secretary, that at the next meeting of the Society he would move the following amendment to the constitution, to be known as Act 10, Section 4.

“The Society may elect, by unanimous vote, distinguished physicians and lawyers to honorary membership. Honorary members shall be exempt from assessment and payment of all dues, and shall enjoy the privileges usually accorded to honorary membership.”

The report of [the Treasurer, Dr. E. W. Andrews, was read, and on motion of Dr. Doering referred to an auditing committee to be appointed by the Chair. Dr. Winters and Dr. Mortin were appointed to comprise this committee.

The Society then elected the following officers for the ensuing year :

President, Dr. E. J. Doering ; First Vice-President, Dr. Boedne Bettman ; Second Vice-President, Eric Winters, Esq. ; Treasurer, Dr. L. L. McArthur ; Secretary, Dr. Scott Helm.

The retiring President, Dr. D. A. K. Steele, then delivered his valedictory address :

Dr. Earle and Dr. Schaefer were then appointed a committee of escort to President-elect Doering.

Mr. Winters, on behalf of the auditing committee, reported back the accounts of the Treasurer as correct, recommending that a copy of the same be made and filed with the Secretary.

In accordance with a motion made by Dr. Henry T. Byford, the report of the committee was unanimously accepted. The report of the committee appointed at the March meeting to take action on Dr. Sawyer's paper on "The Defects of the Present System of Coroners' Inquests" was deferred until the next meeting.

Adjourned.

SCOTT HELM, M. D.,
Secretary.

MASS. MEDICO-LEGAL SOCIETY.

ROOMS OF THE BOSTON MEDICAL LIBRARY ASSOCIATION,
June 7, 1887.

The tenth annual meeting was called to order at 11.20 A. M., by President Winsor. Twenty members were present. Records of the last meeting were read and approved.

Medical Examiner Holt, of the committee to prepare a blank form to be used in reporting autopsies, made his report, recommending a printed form which he presented and also advised the purchase by each medical examiner of Virchow's Post Mortem Examinations. The report was accepted, and Medical Examiner Holmes moved the adoption of the printed forms. Considerable discussion ensued, and it was finally voted to reconsider the vote accepting the report of the committee, and to refer the blank form to it again, with request to report at the next meeting of the society. Voted on motion of Medical Examiner Wright, that a copy of the blank form be sent to each member, with the request that he examine it and suggest to the Committee any changes that seem desirable.

The following officers were elected for the ensuing year :

President, F. Winsor, M. D.

Vice-President, J. G. Pinkham, M. D.

Treasurer, C. C. Power, M. D.

Corresponding Secretary, B. H. Hartwell, M. D.

Recording Secretary, W. H. Taylor, M. D.

Standing Committee, F. W. Draper, M. D., S. D. Presbrey, M. D., A. F. Holt, M. D.

President Winsor announced the death of G. P. Pratt, M. D., of Cohasset, a member of this Society.

Medical Examiner Tower briefly referred to the life and character of Dr. Pratt.

On recommendation of the Executive Board the following gentlemen were elected to active membership:

Medical Examiner J. W. Spooner, of Bingham.

“ “ J. Alban Kite, of Nantucket.

“ “ T. M. Durell, of Somerville.

“ “ Wm. Holbrook, of Palmer.

“ “ W. F. Stevens, of Stoneham.

“ “ G. M. Morse, of Clinton.

“ “ J. G. Hayes, of Ipswich.

Charles Harrington, M. D., of Boston, and Hosea Kingman, Esq., District Attorney for the Southeastern District, were elected Associate Members.

Voted to adjourn.

W. H. TAYLOR,

Secretary.

TOXICOLOGICAL.

IMBIBITION of POISONS.—The response of Prof. John J. Reese to the inquiry raised in the June number of this journal as to the scientific feasibility of discriminating between cases of death by poison administered during life, from those where the poison was inducted into the abdominal cavity after death, appears in our columns. We should be glad to hear from the chemists of all the world upon this topic.

How can science detect the murderer who poisons his victim with arsenic or other toxic agents, and then after death, at once, under pretext of embalming the body, fills the abdominal cavity with a strong solution which is absorbed ?

We hope to hear from Dr. Thos. Stevenson and the the English chemists and analysts upon this question ; from Prof. Dragendorff and the Russian scientists. From Brouardel and the French chemists. From Otto and the Germans ; and indeed from men of science in all lands to whom we commend the questions raised in our June number, and the interesting paper of Prof. Reese, our distinguished American chemist, upon this subject.

JOURNALS AND BOOKS.

THE LAW QUARTERLY REVIEW. Prof. F. Pollock, M.A. LL. D., Editor (London).

The July number contains : Two papers on the Land Transfer Bill. 1. By Hugh M. Humphrey. 2. By C. H. Sargent. The Dean of Exeter by Ed. A. Freeman. The Bill of Sale Acts, E. Cooper Willis, Q.C. Eminent Domain, by Carman F. Randolph. Legal Composition, by J. G. Mackay. English Law, by Prof. Pollock.

CHICAGO LAW TIMES. Catherine V. Waite, Editor (Chicago).

The July number contains a portrait of John Jay, Chief Justice, and the following articles : International Copyright Union. The President's Vetoes, by Melville W. Fuller. Suffrage a Right of Citizenship, by Charles B. Waite. Lysander Spooner, by William Brockett. A Celebrated Case—The Kerr vs. Philips Case. The Medico-Legal Department, by Marshall D. Ewell, Esq.

THE JOURNAL OF JURISPRUDENCE AND SCOTTISH LAW MAGAZINE. (Edinburgh).

The September number contains the following articles : The Secretary for Scotland. A Great Scottish Legal House. The Infraction of Evidence. The Decrease in Litigation. The Sheriff of Lanarkshire Bill. Conditions upon Creditors. Services of Experts in Judicial Inquiries.

THE CANADIAN LAW TIMES. E. Douglass Ameer, Esq., Editor. Toronto, Canada.

The August and September numbers contain : Editorial articles on Ontario Legislation and *Lis Pendens*. Editorial Review on Reports. Vacation. Codification. Disallowance. Unlicensed Practitioners. Is the Third Party Rule Modern? Occasional Notes are continued and the Review of Exchanges.

THE AMERICAN LAW REGISTER (Philadelphia).

The July and August numbers are on our table. The original articles are "Color of Title" and "Constitutional Statutory Jurisdiction." The recent American Decisions are noticed in the State and United States

Courts and the "Abstract of recent decisions," keep well up with the Courts of last month in most of the States as well as in the Federal Courts.

AMERICAN LAW REVIEW. Editors: Lucien Eaton, S. D. Thompson, St. Louis. (St. Louis, Mo.) Leonard A. Jones, Boston.

The July-August number contains: The Boycott as Ground for Damages, by John K. Wagner. Sunday Idleness, by James T. Ringold. Suing Receivers in Foreign Jurisdictions, by Eugene McQuillin. Services of Experts, by Clemens Herschell. Municipal Warrants, by Charles Burke Elliott, with Editorial Notes of value to every lawyer.

ARCHIVES OF CLINICAL PSYCHIATRY AND NERVO-PATHOLOGY. (St. Petersburg, Russia.) Mierzejensky, Editor.

Vol. 5, No. 1 contains: A Case of Idiocy, by Privat Doc Danillo. The Pathology of the Central Nervous System in Senile Dementia, by D. Bellakovar. The Posterior root in the Spinal Cord, by Prof. Bechterev. Of the Central ending of the Third faciae Nerve. The Central Ending of the Auditory Nerve, by Prof. Bechterev. Paramyoclonus multiplex, by Dr. R. Y. Balken. The number concludes with a critique and a review of books.

JOURNAL OF MENTAL SCIENCE. D. Hack Tuke and George H. Savage, Editors.

The July number, 1887, contains original articles by A. Campbell Clarke, M. D., on Aetiology, Pathology and Treatment of Puerperal Insanity. Jas. G. Kiernan, M. D., American Problems in Psychiatry. P. J. Kovalewsky, Folie du Doute. Rev. W. J. Davies, D.D., The True Theory of Induction. Dr. C. Heimann, Cocaine in Mental Disorders. The usual Clinical Notes and Cases follow. The reviews are quite extended, and those also of the English and Scotch asylum reports. The meetings of the British Medico-Psychological Association are carefully reported and its work.

ANNALES MEDICO-PSYCHOLOGIQUE. (Paris.) Chief Editors: Baillarger Ach-Foville and Ritti.

The May, 1887, number contains a chronique by Foville of the working of the law in Illinois requiring the verdict of a jury to commit the insane mainly extracted from an article in the *International Record of Charities and Correction*. The original papers are, Un Degenere Héritaire by Drs. H. Mabilie and J. Ramadier. Délère Hypochondriaque et du délère Ambitieux, by Dr. Baillarger. Treatment du délère Epileptique, by Dr. Bessierne. Dr. E. Regis contributes the Archives Cliniques. In the Medico-Legal Department, Dr. A. Giraud resumé at length the remarkable case known as the Lombardi case, arising at Geneva, Switzerland in 1885. Dr. Giraud cites the various opinions of the different experts that have been con-

sulted on this case, which he reviews. This conflict of views are remarkable. Dr. Charpentier furnishes a detailed statement of the transaction of the Societe de Medico-Psychologique at the January and February Session, 1887, with a full analysis of the papers read and of the debates. The reviews contain an extended and interesting review of the action of the Paris Academy of Medicine on Somnambulism, contributed by Dr. Mesnet, and of a contribution by Dr. Christian to the Paris Societe of Medicine in March, 1887, on "*Apropos du Surmenage Cerebral.*"

Books, Journals & Pamphlets Received.

THE SOCIETY OF MENTAL MEDICINE OF BELGIUM.—Through DR. JULES MOREL. Nos. 1 to 20, and Nos. 35 and 36 of the “Bulletin de la Societe” de Medecine Mentale de Belgique

DR. MAGNAN, (Paris.)—Expose des Titres et Travaux, Scientifiques du Docteur V. MAGNAN, 1886.

DR. A. LUTAUD, (Paris.)—Etude sur les Hopitaux d isolement en angle-rre. By Lutaud and Walter Douglas Hogg (1886.) Etude Medico Legale sur les ASSURANCES SUR LA VIE et le Secret Medical. G. Stemhill, Publisher (1887.)

DR. A. MOTET, (Paris.)—Bulletin Tome IX—2d partie Societie de Medicine Legale de France (1887.) Les Faus Temoingages des enfants devant la justice, (1887.)

EDWIN CHADWICK, Esq., C. B.—Alternative Remedies for Ireland (1887.) The Elementary Education question and the half time system (1887.)

DR. D. HACK TUKE.—Judge and Doctor (1887,) The After Care Association (1887.) Apropos de-une-Visite a GHEEL par Dr. Hack Tuke, traduit par M. A. Claus. Eleve interne a la Hospice Guislain (1885.) Portrait sketch of the elder Tuke. History of the insane in the British Isles.

DR. VICTOR DESGUIN, (Antwerp.)—Les Symptomes Cerebraux du Rhumatisme (1870.) La Stigmatisie d Anvers. Review of Dr. Erlenmeyers memoir upon symptom and treatment of Mental Diseases. Un cas de Rhumatism Cerebral (1871.) Rapport sur les Moyens a opposer a luabus croissant des boissons alcooliques (1872.) De l'abus des Boissons Alcooliques (1878). Du Cuivre—en thereapeutiques et en Hygiene (1886.) Le treatment des la Thtisie Pulmonaire (1887.) Sur le Nervoisme du notre epoque, (1885.)

DR. F. LENTZ, (Tournai.)—Notice Sur l asile des Homme Alienes a Tournai.

DR. NORMAN KERR.—Proceedings of the Colonial and International Congress of Inebriety (London), 1887.

W. B. RIDGES.—My Rambles Through Bible Lands (1886).

DR. GEORGE H. ROHE.—Recent Advances in Preventive Medicine (1887).

DR. JOHN H. RAUCH.—Report Ill. State Board of Health (July, 1887).

HON. OSCAR CRAIG.—Report of State Board of Charities and Correction on Ward's Island Investigation.

DR. E. FLETCHER INGALLS.—Suppurative Inflammation of the Autrum. Incubation of the Larynx (1887).

DR. C. W. MOORE.—Advances in Medicine and Surgery in Forty Years (1887).

DR. W. E. EVANS —Thirtieth Transactions, Mo. Medical Association (1887).

DR. A. R. URQUHART.—Sixtieth Annual Report. Muney's Royal Asylum, at Perth, Scotland (1887).

SCOTCH BOARD OF LUNACY COMMISSIONS.—Twenty-ninth Annual Report (1887).

JAMES HENDRIE LLOYD, M. D.—Moral Insanity in its Medico-Legal Aspects (1887).

DR. A. V. PARK.—Case of Pyelitis (1887).

RALPH L. PARSONS, M. D.—Classification of Mental Diseases (1887).

DR. FRED. H. WINES.—Ninth Biennial Report of State Board of Charities of Illinois (1887).

G. W. H. KEMPER, M. D.—Practical Thoughts for Physicians (1887).

AMOS G. HULL, Esq.—State Medicine (1887).

ROBERT C. FOX, LL. D.—Announcement of National Medical College, Washington, D. C. (1887).

J. B. BAILLIERE *et fils*.—Traite Complet. l' Examen Medical dans les Assurances sur la vie (1887).

DR. ALBRECHT ERLÉNMEYER.—Die Morphiumsucht und Ihre Behandlung. (p. 462.) (Louis Heuser (1887).

WILLIAM G. STEVENSON, M.D.—Genius and Mental Disease (1887).

DR. G. A. TUCKER.—Files of Sidney and Australian Newspapers (1887).—Lunacy in Many Lands.

HON. OSCAR CRAIG.—Report of State Board of Charters Committee on Ward Island Investigation.

THE MAGAZINES.

THE ECLECTIC for October is a superb number and contains sixteen choice selections from the leading reviews.

LIPPINCOTT for October is out. It contains Louise Stockton's story "Apple Seed and Brier Thorn," and has its usually good table of contents.

GODEY'S LADY'S BOOK.—Mrs. Croly (Jennie June) has assumed editorial control of this old and valued journal, and its pages are racy, sparkling and full of interest.

THE ATLANTIC MONTHLY—Continues Paul Patchoff. Dr. Holmes' One Hundred Days in Europe and "The Second Sin," in October number. "An Uncloseted Skeleton, The Secret of the Far East and Emerson's Genius, are among its articles.

BULLETIN BELGIAN SOCIETY MENTAL MEDICINE (No. 45, 2d fascic).—Contains a portrait of the Guislain statue and an account of the proceedings at its unveiling at Ghent last July, with the addresses, besides two papers contributed by Dr. Lentz of Tournai.

THE ASCLEPIAD.—Dr. B. Ward Richardson devotes the last number to an epitome of the Great advancements made in medicine during the reign of Victoria, which he styles the "Victoria Era."

THE ALIENIST AND NEUROLOGIST.—The July number is an exceedingly able and interesting one, and Dr. Hughes is making this journal one of the ablest in its domain in the world.

JOURNAL DE MEDICINE.—Dr. Lataud continues his strictures on M. Pasteur and his theory, besides, ably editing his journal in other respects. We hoped to have seen Dr. Lataud this summer in America, but he promised us in Paris in August that he would come next year with some of his colleagues.

LITTELL'S LIVING AGE—Continues in September 24th number: Richard Cable, the Lightshipman; and among other articles are: The Island of Sark; Ancient and Modern Painted Glass; Eberhardt; The Society of Dogs. This number completes the 59th quarterly volume of the 5th series.

SCRIBNER'S MAGAZINE.—The October number contains: Harold Fred-eric's story of Seth's Wife; concludes The Sacred Flame of Torinje and The Thackeray Letters. Henry O'Aury contributes a charming article.

DER GERICHTSAAL (Band XL., Heft 1).—This able journal, under the chief editorship of Dr. F. Van Holtzendorf, occupies the very front rank in Juridicial journals abroad. Dr. Jur Carl Schneider of Tubengin, contributes a paper on the Right of Suffrage. Prof. Dr. S. Mayer, of Vienna, one on, A Voice from Italy on Jury Trials. Judge Conrad Thmdrel, of Lrben (Silesia) on Enforced Education for Criminals under age.

THE THEATRE has again appeared and is as attractive as ever.

AARON J. VANDERPOEL, ESQ.

The death of Mr. Vanderpoel is a loss to the Bar of the city of New York not easily filled.

Of a genial nature, kindly heart, and charming disposition, he endeared himself to the members of the profession with whom he came in contact in a remarkable manner.

He was born in Kinderhook, N. Y., in October, 1825. He studied law with Judge Aaron Vanderpool and Wm. Curtis Noyes, was of the firm of Brown, Hall & Vanderpoel and of Vanderpoel, Green & Cuming. He was a member of the Century, St. Nicholas and Holland Clubs in this city, and President of the Manhattan Club for many years.

He was one of the older members of the Medico-Legal Society, Librarian of the Law Institute, President of the Law Department of the University of New York and of many other organizations in New York.

Resolutions were passed at his death at the meeting of the Bar of New York at which Chief Justice Van Brunt presided, where addresses were made by the Chief Justice, by William Allan Butler, Mr. James C. Carter, Frederick R. Coudert, Wm. Burke Cochran and others, and at the October meeting of the Medico-Legal Society the following resolutions were offered by Mr. Roger Fos-

ter of the Bar, and remarks made by Mr. Foster, Mr. Simon Sterne and others.

Whereas, since our last meeting, this society has been bereaved of our esteemed associate, Aaron J. Vanderpoel, LL. D.; who, being descended from a family containing distinguished members of each of the two professions from which our ranks are recruited, took a deep interest in our pursuits, as he did in all branches of learning and science that threw light upon the history, theory or practice of the law; of deep reading and wide experience, equally well versed in books and men, never betrayed by his learning into pedantry, nor by his knowledge of human nature into cynicism; an accomplished antiquarian, but a constant friend of proposed improvements in the methods of the administration of justice; a successful advocate and a sage counsellor of men of affairs, seeking for his recreation the lanes and byways of legal literature; of great public spirit, while continually refusing office; in constant conflicts, without a single enemy; whose career challenges our admiration, while his character won our affections,

RESOLVED, that we, the members of the Medico Legal Society, deplore his loss and deeply sympathize with the surviving members of his family;

AND IT IS FURTHER RESOLVED that a copy of these resolutions be sent to Mrs. Aaron J. Vanderpoel as an inadequate expression of the feelings of our hearts,

GUY HUMPHREY McMASTER.

Judge McMaster was born January 31, 1829, at Clyde, New York. Graduated at Hamilton College in 1847, was tutor in Franklin Academy, New York, after leaving college ; studied law and was admitted to the Bar in 1852, and commenced the practice of the law at Bath, N. Y. In 1863, he was elected Judge and Surrogate of Steuben County, to which position he was re-elected for twenty years. When these offices were separated he was elected Surrogate, which office he held at the time of his death in September, 1887. He was for many years a corresponding member of the Medico Legal Society of New York, and was in the front rank of jury lawyers in the Seventh District, where he resided, which did not interfere with his judicial labors, while practising in the Supreme Court and Court of Appeals.

He was a noble character ; a profound jurist, an excellent pleader, elegant, lovable, conscientious, broad, true and kind ; and there is no jurist or judge in this State who had warmer or truer personal friends, and none who better deserved them or their confidence.

C. B.



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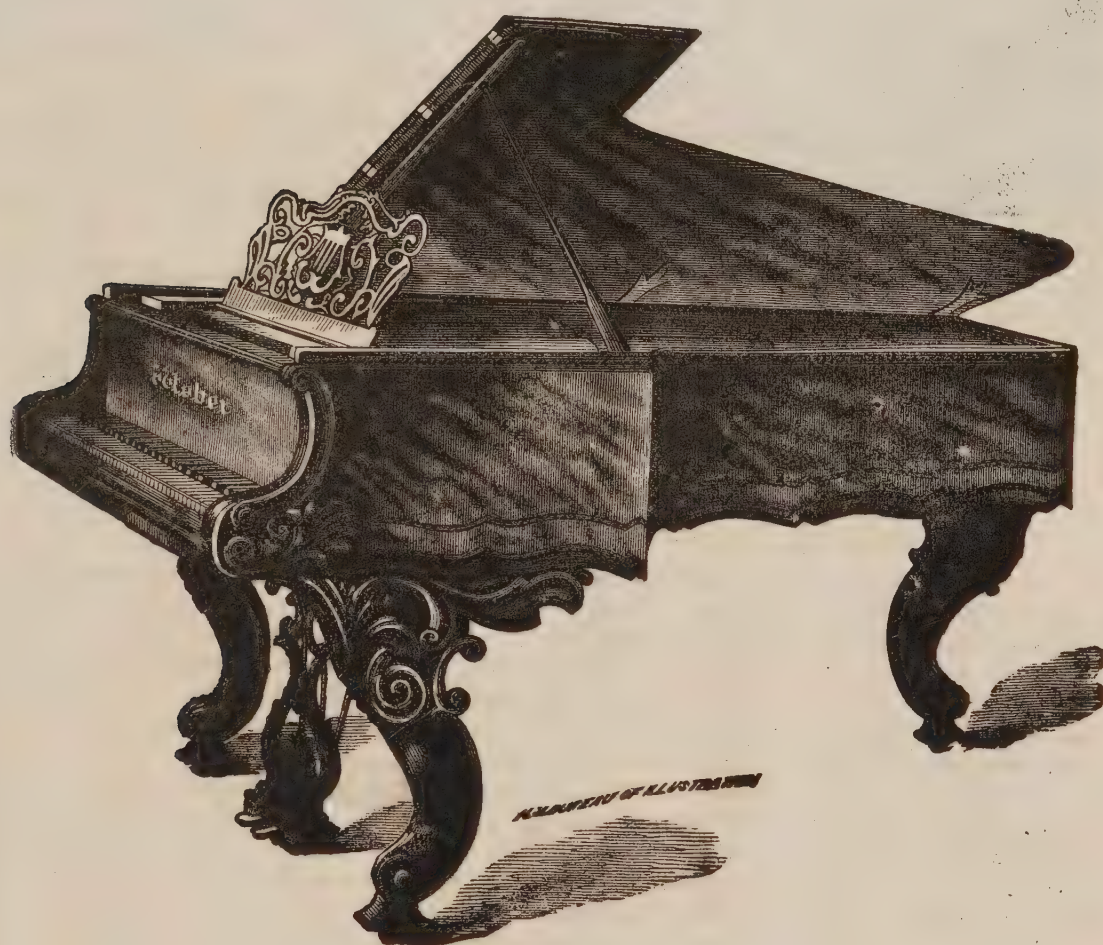
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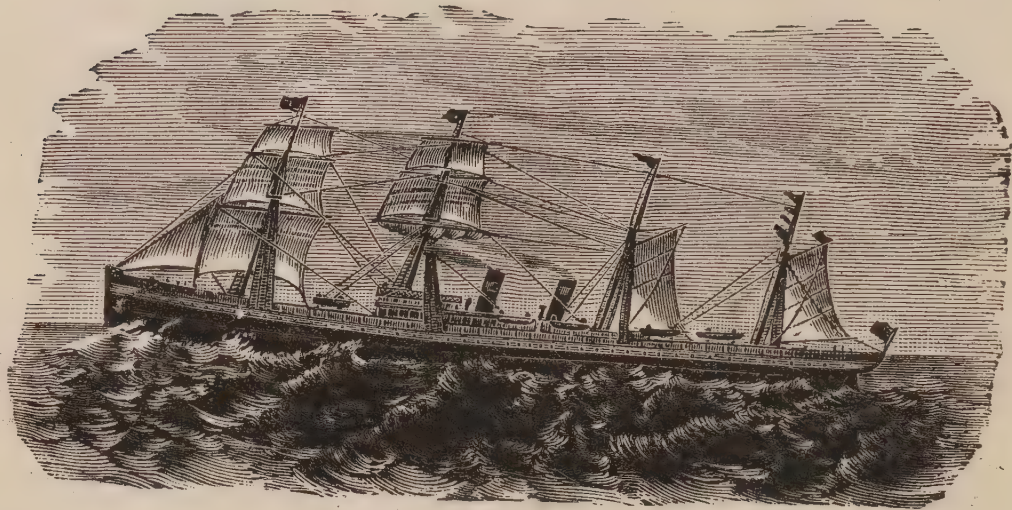
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We respectfully solicit subscriptions, and if those who receive this number will remit, we will send future or back numbers, as desired, except of Nos. 1 and 2 of Vol. I, out of print.

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Initiation fee, \$5. Dues, \$4 per annum, which entitles each member to a copy of the Medico-Legal Journal, free of charge.

The present membership of the Society exceeds 400, including Honorary and Corresponding Members. Members of either profession, Chemists or Scientists, no matter where residing, are eligible to active membership. Persons desiring to unite with the Society can address any member.

The investigation of every branch of Medico-Legal Science, is within the domain of the Society, and members of the professions interested in the subject, are requested to co-operate in its labors.

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All details of the award will be determined by the Executive Committee of the Medico-Legal Society of New York.

The papers must be sent to the President of the Medico-Legal Society of New York, on or before April 1, 1888, or deposited in the Post Office, where the competitor resides on or before that day.

The name of the author of any paper will not be communicated to the Committee awarding the prizes.

All persons desiring to compete for these prizes will please forward their names and address to the President or Secretary of the Medico-Legal Society of New York.

In case the essay is written in a foreign tongue, it should be accompanied by a translation into the English language.

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of the number of copies they will take, and it is hoped that enough subscribers will be obtained at once to make at least one hundred.

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THE MEDICAL JURISPRUDENCE OF INEBRIETY.

At the November meeting of the Medico-Legal Society the evening will be devoted to the discussion of this subject.

Short papers have been promised by Dr. Joseph Parrish of New Jersey, Dr. T. D. Crothers of Connecticut, Dr. Norman Kerr of London, Dr. Ed. C. Mann of Brooklyn, Dr. Wright of Bellefontaine, Ohio, and several others have been invited and are expected to read short papers on the medical side, and prominent members on the legal side will take part in the discussion, which must excite interest in the society.

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Insurance and Annuity Account.

	No.	Amount.		No.	Amount.
Policies and Annuities in force, Jan. 1st, 1886...	120,952	\$368,981,441 36	Policies and Annuities in force, Jan. 1st, 1887 ..	129,927	\$393,809,272 88
Risks Assumed.....	18,673	56,832,718 92	Risks Terminated.....	9,698	32,004,957 40
	139,625	\$425,814,160 28		139,625	\$425,814,160 28

<i>Dr.</i>	Revenue Account.	<i>Cr.</i>
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To Balance from last account....	\$99,865,644 11	By Paid to Policy-Holders:	
" Premiums	15,634,720 06	Endowments & Pur-	
" Interest and Rents.....	5,502,456 01	chased Insurances	\$4,908,729 61
		Dividends & Annu-	
		ities	2,727,454 13
		Deceased Lives.....	5,492,920 00
			<u>\$13,129,103 74</u>
		" Other Disbursements:	
		Commissions and	{ \$1,732,632 83
		Commutations	
		Taxes	277,169 85
		Expenses.	1,091,613 91
			<u>3,101,416 59</u>
		" Premium on Stocks and Bonds	
		Purchased.....	52,566 14
		" Balance to new account.....	104,719,734 31
	<u>\$121,002,820 78</u>		<u>\$121,002,820 78</u>

<i>Dr.</i>	Balance Sheet.		<i>Cr.</i>
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" Premiums received in advance	78,274 84	" United States and other Bonds..	42,071,641 00
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		" Real Estate.	10,591,286 32
		" Cash in Banks and Trust Com- panies at interest.	2,306,203 08
		" Interest accrued	1,166,870 65
		" Premiums deferred and in tran- sit ..	1,565,117 28
		" Sundries.	188,978 00
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BUSINESS OF 1886.

Received in Premiums.....	\$15,507,906.04
Received in Interest, Rents, etc.....	3,722,502.24
Total Income.....	\$19,230,408.28
Paid Death-claims.....	\$2,757,035.97
Paid Endowments.....	559,075.01
Paid Dividends, Annuities, and for Policies Purchased.....	4,311,119.11
Total Paid Policy-holders....	\$7,627,230.09
New Policies Issued.....	22,027
New Insurance Written.....	\$85,178,294.00

CONDITION JAN. 1, 1887.

Cash Assets	\$75,421,453.37
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*Divisible Surplus, Company's Standard	\$8,080,527....
†Tontine " " " "	4,176,425.25

Total Surplus, Co's Standard. \$12,256,952.50

Surplus by State Standard ($4\frac{1}{2}$ per cent)	\$15,549,319.53
Policies in Force.....	97,712
Insurance in Force.....	304,373,540.00

PROGRESS IN 1886.

Excess of Interest over Death-losses paid	\$965,466.27
Increase in Income.. ..	2,109,235.52
Increase in Surplus, State Standard....	2,334,272.56
Increase in Assets.....	8,557,132.03
Increase in Insurance Written.....	16,656,842.00
Increase in Insurance in Force	44,699,040.00

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